



**Study Session Agenda
City of Council Bluffs, Iowa
March 12, 2018, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

STUDY SESSION AGENDA

A. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa
Regular Meeting March 12, 2018, 7:00 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the February 26, 2018 City Council Meeting Minutes.
- C. Claims
- D. Notice of Right of Redemption
- E. Offer to Buy

4. PUBLIC HEARINGS

- A. Resolution 18-76
Resolution authorizing the City of Council Bluffs to apply for FY2019 State Transit Assistance through the Iowa Department of Transportation.
- B. Resolution 18-77
Resolution to deny disposal of City owned property legally described as the East Half of Lot 9 and the East Half of Lot 10, Block 1, Williams Subdivision of Mill Lot. (Formerly 616 Mill Street). OTB-18-006
- C. Resolution 18-78
Resolution to deny disposal of City owned property legally described as the West 45 feet of Lot 12 except for the North 6 feet for alley, Block 25, Everett Addition. (Formerly 1618 7th Avenue). OTB-18-007
- D. Resolution 18-79
Resolution to deny disposal of City owned property legally described as the South 58 feet of Lot 47, Johnson Addition. (Formerly 315 Benton Street).
- E. Resolution 18-80
Resolution instituting proceedings to take additional action for the issuance of General Obligation Bonds, not to exceed \$364,000.

F. Resolution 18-81

Resolution instituting proceedings to take additional action for the issuance of General Obligation Bonds, not to exceed \$12,186,000.

G. Resolution 18-87

Resolution granting final plat approval of a three-lot commercial subdivision to be known as PACE Subdivision. (Location: Geographically bounded by 10th Avenue to the North, South Main Street to the East, 12th Avenue to the South and the South Expressway to the West.) SUB-18-004

H. Ordinance 6320

Ordinance to amend the zoning map, as adopted by reference in Section 15.02.070, by rezoning property legally described as Lots 1 and 2, INRIP Subdivision Tract 3, from I-2/General Industrial District to PC/Planned Commercial District as defined in Chapter 15.18. (Northeast corner of South 35th Street and Nebraska Avenue).

I. Ordinance 6321

Ordinance to Amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property located at 1001 South 6th Street and surrounding area more particularly described in the staff report and to repeal Ordinance No. 6174 which appended a PR/Planned Residential Overlay.

J. Ordinance 6322

Ordinance to amend the zoning map, as adopted by reference in section 15.02.070, by rezoning proposed Lots 1 through 30 and Outlot a, being a Replat of a portion of Lot 117, Fox Run Landing, from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District as defined in Chapter 15.08b and to append a PR/Planned Residential overlay. (continuation of carriage road).

5. RESOLUTIONS

A. Resolution 18-82

Resolution accepting \$1,000 payment from Shirley Lindner c/o Barbara Lindner, as payment in full from an agreement dated June 23, 2001.

B. Resolution 18-83

Resolution authorizing the issuance and levying a tax for the payment of \$23,835,000 General Obligation Bonds 2018A.

C. Resolution 18-84

Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.

D. Resolution 18-85

Resolution authorizing the Mayor to execute an engagement agreement with Ahlers & Cooney P.C. relating to the general obligation bonds, Series 2018A.

E. Resolution 18-86

Resolution accepting the bid of Hawkins Construction Company in the amount of \$7,699,072.68 for the West Broadway Reconstruction, Segment 2. Project # PW18-20.

F. Resolution 18-88

Resolution accepting the work of Gracorp. Inc. in connection with the River's Edge Subdivision Improvements - Phase III, Part I, Piazza Improvements and authorizing the Finance Department to issue a City check in the amount of \$72,700.19. (Location: west of N 40th St)

G. Resolution 18-89

Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and New Community Development Corporation for Workforce Housing Tax Incentive Program (WHTIP) benefits on multiple parcels. WHTIP-18-004

H. Resolution 18-90

Resolution authorizing the purchase contract for the Phoenix G2 Fire Station Alerting System with US Digital Design.

I. Resolution 18-91

Resolution supporting the location of a medical cannabidiol dispensary in Council Bluffs, Iowa.

6. APPLICATIONS FOR PERMITS AND CANCELLATIONS

A. Liquor Licenses

- 1) The BLK Squirrel, 154 West Broadway
- 2) The Barrel, 144 West Broadway
- 3) Glory Day's, 106 West Broadway
- 4) Longhorn Steakhouse, 3727 Denmark Drive
- 5) Ruby Tuesday, 3150 24th Street
- 6) Speedee Mart, 3624 9th Avenue
- 7) Super Quick Stop, 2800 Twin City Drive (New Owners)
- 8) Uncle Buck's Grill (Bass Pro Shop), 2911 27th Avenue

B. Cigarette Permits (2)

7. CITIZENS REQUEST TO BE HEARD

A. Brooke Hubbard - Request regarding parking stalls on 4th Street

B. Matthew Atherton Sr. - Request to leave business driveway

8. OTHER BUSINESS

9. ADJOURNMENT

DISCLAIMER:

If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 328-4616, by 5:00 p.m., three days prior to the meeting.



City Council Meeting Minutes February 26, 2018

CALL TO ORDER

A regular meeting was called to order by Mayor Matthew J. Walsh on Monday February 26, 2018 at 7:00 p.m.

Council Members present: Melissa Head, Roger Sandau, Nate Watson, Sharon White and Mike Wolf.

Staff present: Jodi Quakenbush and Richard Wade.

CONSENT AGENDA

Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.

Reading, correction and approval of the February 12, 2018 City Council Meeting Minutes.

Resolution 18-37 (Continued from February 12, 2018 Meeting)

Resolution of intent to dispose of City owned property former railroad property surrounding 1227 South Main Street and setting a Public Hearing for March 12, 2018 at 7:00 p.m.

Resolution 18-53

Resolution of intent to dispose of City Owned property being former railroad property surrounding 1023 South Fourth Street and setting a Public Hearing for March 12, 2018 at 7:00 p.m. (West of Conagra facility).

Resolution 18-54

Resolution of Intent to Dispose of City property legally described as the South 58 feet of Lot 47, Johnson Addition and setting a Public Hearing for March 12, 2018 at 7:00 p.m. (Formerly known as 315 Benton Street).

Resolution 18-55

Resolution of Intent to dispose of City property legally described as the East Half of Lot 9 and the East Half of Lot 10, Block 1, William's Subdivision of Mill Lot and setting a Public Hearing for March 12, 2018 at 7:00 p.m. (Formerly known as 616 Mill Street).

Resolution 18-56

Resolution of intent to dispose of City property legally described as the West 45 feet of Lot 12, except for the North 6th feet for alley, Block 25, Everett Addition and setting a Public Hearing for March 12, 2018 at 7:00 p.m. (Formerly known as 1618 7th Avenue).

Resolution 18-57

Resolution setting a Public Hearing for March 12, 2018 at 7:00 p.m., on the proposition of the issuance of not to exceed \$364,000 General Obligation Bonds of the City of Council Bluffs, State of Iowa (for general corporate purposes), and providing for publication of notice thereof.

Resolution 18-58

Resolution fixing date for a Public Hearing for March 12, 2018 at 7:00 p.m., on the proposition of the issuance of not to exceed \$12,186,000 General Obligation Bonds of the City of Council Bluffs, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof.

January 2018 Financial Reports

Mayor's Appointments

- 1) Civil Service Commission
- 2) Historic Preservation Commission

Notice of Right of Redemption, Claims, Lawsuit (R&F), Offer to Buy

Sharon White and Nate Watson moved and seconded approval of Consent Agenda as amended to remove Items 3C & 3D, Resolutions 18-37 & 18-53. Unanimous, 5-0 vote.

PUBLIC HEARINGS

Resolution 18-59

Resolution approving the City of Council Bluffs Budget for Fiscal Year Ending June 30, 2019

Sharon White and Melissa Head moved and seconded approval of Resolution 18-59. Unanimous, 5-0 vote.

Resolution 18-60

Resolution to dispose of City property legally described as Lots 9 and 10, Block 5, McMahon Cooper Jeffris Addition. (Northeast corner of South 13th Street and 6th Avenue).

Roger Sandau and Nate Watson moved and seconded approval of Resolution 18-60. Unanimous, 5-0 vote.

Resolution 18-61

Resolution to dispose of City property legally described as Lots 3 and 4, Block 31, Burns Addition, except former railroad property. (Location: North of 1917 South 9th Street).

Sharon White and Melissa Head moved and seconded approval of Resolution 18-61 per staff recommendations. Unanimous, 5-0 vote.

Resolution 18-62

Resolution to dispose of City property legally described as Lot 22, Nash Subdivision, Replat One (Location: Avenue M Way)

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 18-62. Unanimous, 5-0 vote.

Resolution 18-63

Resolution to dispose of City property legally described as that part of 11th Avenue right-of-way abutting properties legally described as Lot 6, Block 11, Riddles Subdivision and the East one-half of the vacated alley adjacent along with Lot 1, Block 14, Riddles Subdivision; and to vacate that part of 11th Avenue right-of-way extending from the East right-of-way line of South 6th Street to the West right-of-way line of South Main Street; and former railroad property being Lot 1, part of Lot 2, part of Lot 14, Block 15, Riddle's Subdivision, lying south of vacated 11th Avenue (Location: 11th Avenue, West of South Main St)

Nate Watson and Melissa Head moved and seconded approval of Resolution 18-63. Unanimous, 4-0 vote.
(Abstain: Wolf)

ORDINANCES ON 1ST READING

Ordinance 6320

Ordinance to amend the zoning map, as adopted by reference in Section 15.02.070, by rezoning property legally described as Lots 1 and 2, INRIP Subdivision Tract 3, from I-2/General Industrial District to PC/Planned Commercial District as defined in Chapter 15.18. (Northeast corner of South 35th Street and Nebraska Avenue).

Sharon White and Melissa Head moved and seconded approval of First Consideration of Ordinance 6320, Second Consideration to be held March 12, 2018 at 7:00 p.m.. Unanimous, 5-0 vote.

Ordinance 6321

Ordinance to Amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property located at 1001 South 6th Street and surrounding area more particularly described in the staff report and to repeal Ordinance No. 6174 which appended a PR/Planned Residential Overlay.

Nate Watson and Melissa Head moved and seconded approval of First Consideration of Ordinance 6321, Second Consideration to be held March 12, 2018 at 7:00 p.m.. Unanimous, 4-0 vote. (Abstain: Wolf)

Ordinance 6322

Ordinance to amend the zoning map, as adopted by reference in section 15.02.070, by rezoning proposed Lots 1 through 30 and Outlot a, being a Replat of a portion of Lot 117, Fox Run Landing, from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District as defined in Chapter 15.08b and to append a PR/Planned Residential overlay. (continuation of carriage road).

Melissa Head and Mike Wolf moved and seconded approval of First Consideration of Ordinance 6322, Second Consideration to be held March 12, 2018 at 7:00 p.m.. Unanimous, 5-0 vote.

ORDINANCES ON 2ND READING

Ordinance 6318

Ordinance to amend Chapter 3.52 - Secondhand Dealers.

Sharon White and Mike Wolf moved and seconded approval of Second Consideration of Ordinance 6318. Unanimous, 5-0 vote.

Nate Watson and Melissa Head moved and seconded approval of Motion to waive Third Consideration. Unanimous, 5-0 vote.

Ordinance passes to law

Ordinance 6319

Ordinance to amend Chapter 13.25 "Floodplain Management Standards" by amending Sections 13.25.050 "definitions" and 13.25.240 "accessory structures".

Roger Sandau and Melissa Head moved and seconded approval of Second Consideration of Ordinance 6319. Unanimous, 5-0 vote.

Nate Watson and Sharon White moved and seconded approval of Motion to waive Third Consideration. Unanimous, 5-0 vote.

Ordinance passes to law

ORDINANCES ON 3RD READING

Ordinance 6317

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Parcel A of Lot 115, Fox Run Landing from A-P/Administrative-Professional District and C-2/Commercial District to A-P/Administrative-Professional District as defined in Chapter 15.13. (Location: Lying south of Veterans Memorial Highway and West of Council Pointe Road.)

Melissa Head and Mike Wolf moved and seconded approval of Third Consideration of Ordinance 6317. Unanimous, 5-0 vote.

Ordinance passes to law.

RESOLUTIONS

Resolution 18-64

Resolution authorizing the use of eminent domain in connection with West Broadway Reconstruction, Segment 2. Project #PW18-20.

Sharon White and Nate Watson moved and seconded approval of Resolution 18-64. Unanimous, 4-0 vote.

(Abstain: Sandau)

Resolution 18-65

Resolution authorizing the Mayor and City Clerk to execute Iowa Department of Transportation Federal Aid Agreement No. 04-18-HDP-13 for the Eastern Hills Drive Segment D, Highway 92 to the Intersection of Eastern Hills Drive and State Orchard Road. Project #PW19-16A.

Melissa Head and Nate Watson moved and seconded approval of Resolution 18-65. Unanimous, 5-0 vote.

Resolution 18-66

Resolution authorizing the Mayor to execute a Water Main Extension Agreement - Phase II with the Council Bluffs Water Works in conjunction with the River's Edge Subdivision Project.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-66. Unanimous, 5-0 vote.

Resolution 18-67

Resolution certifying the FY2018 Water, Sewer and Refuse Collection lien schedule for nonpayment to the County Treasurer to be assessed against the owner's property.

Roger Sandau and Nate Watson moved and seconded approval of Resolution 18-67. Unanimous, 5-0 vote.

Resolution 18-68

Resolution authorizing compliance with the Iowa Department of Transportation Title VI program and authorizing the Mayor to execute the Title VI Non-Discrimination Agreement and all other documents to consummate the matter between the City of Council Bluffs and the Iowa Department of Transportation.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 18-68. Unanimous, 5-0 vote.

Resolution 18-69

Resolution approving Change Order #1 adding \$55,747.62 to the contract amount for the Levee Certification Project, Drainage MR_2. Project # FY17-06B.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-69. Unanimous, 5-0 vote.

Resolution 18-70

Resolution granting approval of tax abatement on improvements made to real property at 1831 East Kanessville Boulevard in the Hawkeye Heights Phase II Urban Revitalization Area during the 2018 tax assessment year.

Mike Wolf and Nate Watson moved and seconded approval of Resolution 18-70. Unanimous, 5-0 vote.

Resolution 18-71

Resolution granting approval of tax abatement on improvements made to real property at 25 South Linden Avenue in the Gunn School Urban Revitalization Area during the 2018 tax assessment year.

Sharon White and Roger Sandau moved and seconded approval of Resolution 18-71. Unanimous, 5-0 vote.

Resolution 18-72

Resolution of the City Council of the City of Council Bluffs, Iowa granting approval of tax abatement on improvements made to real property at 1610 Avenue N in the Bluffs Northway Urban Revitalization Area during the 2018 tax assessment year.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 18-72. Unanimous, 5-0 vote.

Resolution 18-73

Resolution authorizing the Mayor to execute the First Addendum to the Development Agreement between the City of Council Bluffs and BHI Development, Inc. Dated October 26th 2015.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 18-73. Unanimous, 5-0 vote.

Resolution 18-74

Resolution to append a PR/Planned Residential Overlay and adopt the associated development plan for the proposed East Fox Run Subdivision, being a replat of Lot 117, Fox Run Landing Subdivision. (Continuation of Carriage Road).

Sharon White and Roger Sandau moved and seconded approval of Resolution 18-74. Unanimous, 5-0 vote.

Resolution 18-75

Resolution granting Preliminary Plan approval for a 31-lot Residential Subdivision to be known as East Fox Run, being a Replat of a portion of lot 117, Fox Run Landing (continuation of carriage road).

Melissa Head and Roger Sandau moved and seconded approval of Resolution 18-75. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor License Applications

1. Dodge Riverside Golf Course, 2 Harrah's Blvd (New Application)
2. Lansky's, 1131 N Broadway
3. Super Saver, 1141 North Broadway

Nate Watson and Melissa Head moved and seconded approval of Applications for Permits and Cancellations 9A 1-3, inclusive. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

Heard from Bruce Kelly, 864 McKenzie Avenue regarding a bike trial.

Heard from the following regarding union negotiations.

Scott Puteney, 4105 Gladbrook Drive

Glen Hurst, 210 5th Street, Minden, IA

Marsha Pilgar, 807 Madison Avenue

Jeff Shudak, 120 Ivy Drive

John Holben, 225 Kingsridge Dr

Sam Renshaw, 250 Yellow Pole Road

ADJOURNMENT

Mayor Walsh Adjourned the meeting at 7:27 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

18-PW-1869



February 21, 2018

City of Council Bluffs Iowa

RE: Our Client: Bass Pro Shops
Date of Loss: 11/3/2017
Claim Number: 006176-001949-GD-01
Claimant: James Bechtel

Dear Sirs,

Gallagher Bassett Services, Inc. is the third party claims administrator for the Bass Pro Shops. We were notified of this claim on November 6th, 2017.

We have been informed Mr. Bechtel was pulling into a parking spot when his front tires hit a dip in the parking lot causing him to the parking stop with front bumper causing damage.

We understand our client leases this property from your client. We further understand you are responsible for the maintenance of the common areas.

At this time, we are asking that your company notify the general liability insurance carrier that handles claims that occur on the property and have a representative of the carrier contact the undersigned.

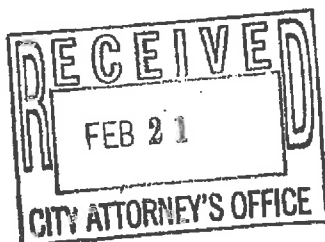
If you have any questions, please do not hesitate to contact the undersigned.

Respectfully,

Kyle Needham | Senior Resolution Manager | Gallagher Bassett
4120 International Parkway, Ste. 1050, Carrollton, TX 75007
D: 972-728-1163 | T: 866-352-0279 Ext. 1163 | F: 844-809-1200
E: Kyle_Needham@gbtpa.com

CLERK RCD
22 FEB'18

PM2:47



GALLAGHER BASSETT SERVICES, INC.
PO BOX 7110
OAKBROOK TERRACE, ILLINOIS 60181
O 630-932-3400
F 630-932-4223
www.gallagherbassett.com

RETURN TO:
CITY OF COUNCIL BLUFFS, IOWA
ATTN: CITY LEGAL DEPARTMENT
OR CITY CLERK
200 PEARL STREET
COUNCIL BLUFFS, IA 51501

CITY CLAIM NO. 18-PK-1871

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Amanda Skeen DAY PHONE: 402-660-7593

ADDRESS: 910 N. 82nd Plz Apt #5 Omaha NE DATE: 01/15/1991
68114

DATE & TIME OF LOSS/ACCIDENT: 1/09/18

LOCATION OF LOSS/ACCIDENT: 1825 Ave F, Council Bluffs, Ia 51501

DESCRIPTION OF LOSS/ACCIDENT: A branch from a dead tree fell and shattered the back window of my white Toyota Corolla. It also caused severe damage to my back seat, head rest, window sill and speakers. The tree belongs to the city of Council Bluffs → (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 3045.17

WITNESSES (Include Address and Phone No.): Amanda Skeen 402(660)7593 (address above)
Michael MacEachern (641) 418-1984 1825 Ave F Council Bluffs, Ia 51501

WAS POLICE REPORT FILED YES X NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

n/a

HAVE YOU RESUMED NORMAL ACTIVITIES? X YES NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY

OTHER RELEVANT INFORMATION: Estimates and total Bill from Huber Chevrolet Body Shop.
Total Bill from Safelite auto glass, photos from the incident, estimate
from Allstate Insurance. Total Bill from Enterprise Rental. Photos of Damage
and tree branch.

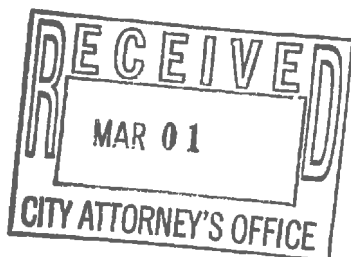
LIST INSURANCE PROVIDER AND COVERAGE: Allstate Insurance

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

2/21/18
DATE

Amanda Skeen
CLAIMANT'S SIGNATURE



CLERK RCD
2 MAR'18
PM3:02

and has been reported as a danger multiple times by the tenant who lives there and nearby neighbors. The city came by and inspected the tree on 1/09/18 and it was taken down two weeks later. The incident was covered by my insurance and I had to pay out a deductible of \$500⁰⁰ as well as \$316⁰⁰ for rental vehicle coverage.

RETURN TO: CITY OF COUNCIL BLUFFS, IOWA
ATTN: CITY LEGAL DEPARTMENT
OR CITY CLERK
209 PEARL STREET
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO. 18-PW-1870

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Council Bluffs Water Works DAY PHONE: 712-328-1406
ADDRESS: P.O. Box 309, Council Bluffs IA 51502 DOB: _____

DATE & TIME OF LOSS/ACCIDENT: November 17, 2017
LOCATION OF LOSS/ACCIDENT: 25th Street and Avenue A - Council Bluffs
DESCRIPTION OF LOSS/ACCIDENT: Directional boring equipment operated by contractor working on City project struck 30-inch water main, causing damage to water system and City Street. (see attachment for more details) (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 41,440.96

WITNESS(ES) (Name(s), Address(es), Phone No(s)): Employees of Trans-Tel Central, Inc. and Midwest Utility Construction, LLC, operators of boring equipment - names & addresses unknown.

WAS POLICE REPORT FILED ☐ YES ☒ NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY

OTHER RELEVANT INFORMATION: See copies of CBWW and City of CB invoices attached. Labor and material costs for damage repairs to water main and City street

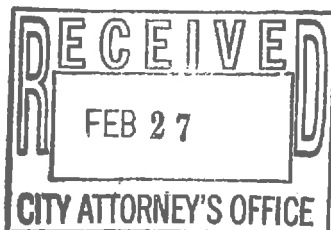
LIST INSURANCE PROVIDER AND COVERAGE: CNA Insurance believed to have GL coverage for Midwest Utility Construction.

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

2-27-18
DATE

Maura O. Kuehl
CLAIMANT'S SIGNATURE
Smith Peterson Law Firm, LLP
133 West Broadway
P.O. Box 249
Council Bluffs IA 51502
(712) 328-1833
mok@smithpeterson.com
ATTORNEYS for
Council Bluffs Water Works



CLERK RCVD
1 MAR '18

PM 2:29

NOTICE TO REDEEM FROM TAX SALE

TO: Fred F. Fowler
4411 Sioux Street
Council Bluffs, IA 51501
and any unknown heirs, devisees, grantees, assignees, successors in interest, unknown parties in possession, unknown spouses and claimants.

Parties in Possession of
4411 Sioux Street
Council Bluffs, IA 51501

Unknown Spouse of Fred F. Fowler, if any
4411 Sioux Street
Council Bluffs, IA 51501

Cynthia A. Krahn
4411 Sioux Street
Council Bluffs, IA 51501

Jack K. Krahn
4411 Sioux Street
Council Bluffs, IA 51501

Council Bluffs City Clerk
c/o City Hall
209 Pearl Street, Ste. 102
Council Bluffs, IA 51503

Pottawattamie County Treasurer
227 South 6th Street
Council Bluffs, IA 51501

Any and all person(s) in possession of the parcel hereinafter described.

All of the heirs, spouses, assignees, grantees, legatees, devisees, and successors in interest both known and unknown, and all unknown claimants claiming to have any recorded or unrecorded right, title, or interest in and to the parcel hereinafter described.

YOU ARE NOTIFIED that on the 15th day of June, 2015, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

PM2:38

5 MAR 18

CLERK RCU

*Lots 6 and 7 in Block 2, Hannan Park, an Addition to the City of Council Bluffs,
Pottawattamie County, Iowa*

PARCEL NO. 744413202005

CERTIFICATE NO. 15/0116

was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes and/or special assessments against the parcel, that a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County, Iowa, pursuant to said tax sale, which Certificate is now lawfully held and owned by ACC242, LLC AND DUTRAC AND ITP and that the right of redemption will expire and a deed to the said parcel will be made to ACC242, LLC AND DUTRAC AND ITP, by the Treasurer of Pottawattamie County, Iowa, thereby relinquishing all your rights, title and interest in the above-described parcel unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Dated this 15th day of March, 20 18

ACC242, LLC AND DUTRAC AND ITP

By: 

Nathan D. Runde-AT009759

Of

Clemens, Walters, Conlon

Runde & Hiatt, L.L.P.

2080 Southpark Court

Dubuque, IA 52003

Tel: (563)582-2926

Fax: (563)582-2998

Email: nrunde@cwcmllaw.com

NOTE: Do not contact the purchaser at the tax sale or his attorney in order to arrange for payment of the amounts necessary to redeem this property. The only means by which you may redeem this property is through payment of the amounts due through the Pottawattamie County Treasurer, Pottawattamie County Courthouse, Council Bluffs, IA 51501, 712/328-5627.

APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

RECEIVED
CITY OF COUNCIL BLUFFS
MAR 21 2018

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Franklin Heights Sub Lot 1

Buyers are applying to purchase this property for the following purpose(s):

Subdivision for the construction of duplex townhomes

Buyers offer a total sum of \$ 275,000

In consideration of the information above, Buyers hereby certify and agree to the following:

- (a) City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- (b) Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- (c) Title shall be taken subject to all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- (d) Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- (e) Buyers shall finance the purchase of the property by any one of the following means (please circle):
 - ☒ a. Cash
 - b. Certified Check
 - c. Third Party Mortgage
 - d. City Financing with Mortgage/Promissory Note
- (f) All subsequent taxes shall be paid by Buyers.
- (g) All subsequent special assessments shall be paid by Buyers.
- (h) Buyers shall pay a one-time fee of \$50 dollars for filing and costs in the event they are awarded title.
- (i) Buyers are purchasing the property AS IS, and may obtain insurance to cover risk of loss at their own cost.
- (j) Buyers are entitled to possession of the described property upon receipt of the City Deed.
- (k) Upon payment of the purchase price as provided in paragraph (e), the City shall convey title by City Deed.

Ronald D. Johnson 3-5-18
Buyer Signature Date

Ronald D. Johnson
Print Name

100 Eagle Ridge Cr.
Address

ronjohnsonre@gmail.com
Phone/Email
402-690-8391

Buyer Signature Date

Print Name

Address

Phone/Email

Internal Use Only

____ Buildable Lot
____ Remnant Parcel
____ Previously Vacated ROW

____ Date Received
____ Case #Assigned
____ Payment with Offer

____ Offer Sufficient for Review

Approved for Processing: _____

Ron Johnson

Broker Associate, Heartland Properties

535 West Broadway, Suite 100

Council Bluffs, Iowa 51503

Re: Franklin Heights Subdivision Lot 1

- Buyer would like to purchase this property with the intent of developing new residential spaces
- When completed, this neighborhood will consist of sixteen, two unit townhomes
- Each townhome will be approximately 1500 square feet
- The anticipated price of each townhome would be approximately \$265,000
- The assessed tax value of the completed project will be approximately 9 million dollars

Thank you for your consideration of this project,

Ron Johnson

A handwritten signature in black ink, appearing to read "Ron Johnson", written in a cursive style.

APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

CLERK ROOM
28 FEB 18
PM 3:03

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Cooper Consulting, Inc
1501 S. Main St. Council Bluffs, Ia 51503

Buyers are applying to purchase this property for the following purpose(s):

To extend property

Buyers offer a total sum of \$ 50/sf - approximately 34,412 sf = \$17,206.
See Attached. maybe adjusted after survey.

In consideration of the information above, Buyers hereby certify and agree to the following:

- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- Title shall be taken subject to all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
 - Cash
 - ☒ Certified Check
 - Third Party Mortgage
 - City Financing with Mortgage/Promissory Note
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Buyers shall pay a one-time fee of \$50 dollars for filing and costs in the event they are awarded title.
- Buyers are purchasing the property AS IS, and may obtain insurance to cover risk of loss at their own cost.
- Buyers are entitled to possession of the described property upon receipt of the City Deed.
- Upon payment of the purchase price as provided in paragraph (e), the City shall convey title by City Deed.

Cooper Consulting 2/28/18
Buyer Signature _____ Date _____
Liane Cooper, Pres.
Print Name _____
Address 22301 Rd W-34-7/okewood,
Phone/Email 402-510-5616 Ia
51516

Buyer Signature _____ Date _____
Print Name _____
Address _____
Phone/Email _____

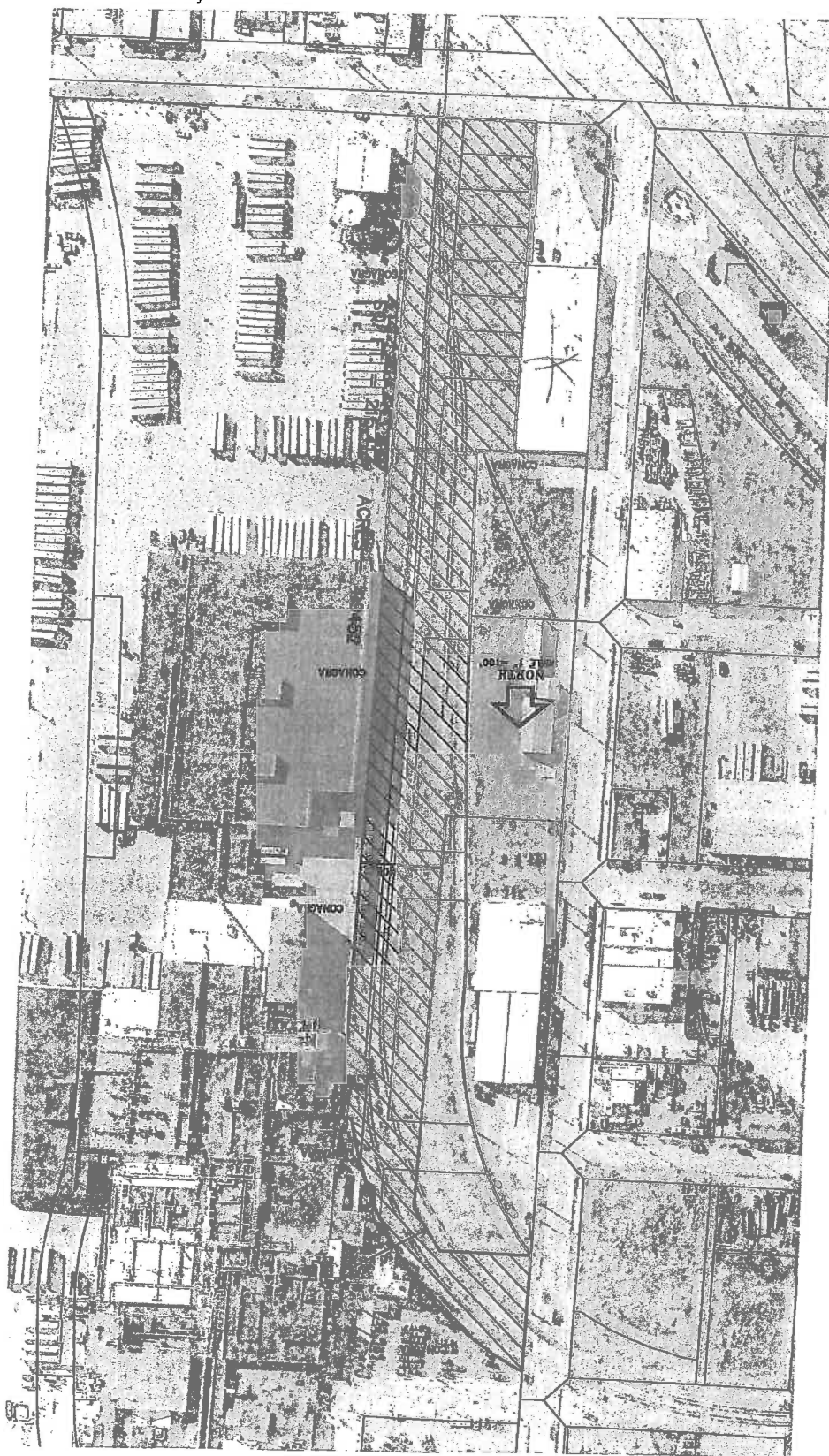
Internal Use Only

☐ Buildable Lot
☐ Remnant Parcel
☒ Previously Vacated ROW
X Other Railroad

____ Date Received
____ Case #Assigned
____ Payment with Offer

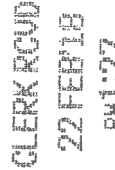
____ Offer Sufficient for Review

Approved for Processing: _____



APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503



THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

The vacated right of way which abuts the east side of property commonly known as 1321 So Main St Co. Bluffs Ia approx. 41 acres (see attachment) owned by me,

Buyers are applying to purchase this property for the following purpose(s):

future expansion of business

Buyers offer a total sum of \$ 8,950.00

In consideration of the information above, Buyers hereby certify and agree to the following:

- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- Title shall be taken subject to all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
 - Cash
 - ☒ Certified Check
 - Third Party Mortgage
 - City Financing with Mortgage/Promissory Note
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Buyers shall pay a one-time fee of \$50 dollars for filing and costs in the event they are awarded title.
- Buyers are purchasing the property AS IS, and may obtain insurance to cover risk of loss at their own cost.
- Buyers are entitled to possession of the described property upon receipt of the City Deed.
- Upon payment of the purchase price as provided in paragraph (e), the City shall convey title by City Deed.

Lorraine Andrews 2-22-18
Buyer Signature Date
Lorraine Andrews
Print Name
Address *2734 Ave J Co. Bluffs Ia*
Phone/Email *712-328-1126*
402-677-3735

Buyer Signature Date

Print Name

Address

Phone/Email

Internal Use Only

____ Buildable Lot	____ Date Received	____ Offer Sufficient for Review
____ Remnant Parcel	____ Case #Assigned	
____ Previously Vacated ROW	____ Payment with Offer	Approved for Processing: _____

Click any parcel to go to its web page
See [more maps](#) at the [County GIS Department](#).

[Find Property](#) [Res Sales](#) [Com DOVs](#)



1321 S MAIN ST, ANDREWS, LORRAINE, 1 01/08/2016



1321 S MAIN ST, ANDREWS, LORRAINE, 2 01/08/2016

[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)

7544 36 389 002

--- Permanent Property Address ---

ANDREWS, LORRAINE
1321 S MAIN ST
COUNCIL BLUFFS, IA 51503

----- Mailing Address -----

ANDREWS, LORRAINE
2734 AVE J
COUNCIL BLUFFS, IA 51501

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecola/tax/search/detail/754436389002>

===== TAX DESCRIPTION* =====

* Not to be used on legal documents

RIDDLES SUB WLY50' LTS 2 THRU 6, LTS 7 THRU 11 & N1/2 VAC ST ADJ BLK 55

===== ASSESSED VALUE =====

* Class is for Assessment purposes only -- Not Zoning							
land	dwelling	land	building	total	ag acres	year	class*
\$34,155	\$0		\$75,095	\$109,250		2016	C
\$116,300	\$0		\$85,200	\$201,500		2017	C

===== OWNERS =====

1 D ANDREWS, LORRAINE book/page: [104/22852](#) D

===== EXEMPTIONS & CREDITS =====

2016 BPTC \$1,617.51

===== ASSESSMENT DATA =====

PDF: 8 MAP: 12-8 C.B COMMERCIAL

Sale Date	Amount	Code	Book/Page
04/16/2004	95000	D000	104/22852
01/11/1993	1	D038	093/25918

Interior Listing: Estimated Date Listed: 01/08/2016 JAC Date Reviewed: 11/01/2016 TG

LAND.....38775 sqFt .89 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
275	275	132	150	

Commercial Building 1 of 3 -- Warehouse (701)

DBA: AIRE SERV HEATING & AIR CONDITIONING

STRUCTURE....1 story 2100 base SF 0 bsmt SF 2100 gross SF

Year Built: 1987 Eff Year: 1987 Condition: Below Normal

VERTICALS....Foundation: C'Blk or Tile w/o Bsmt

Ext Wall: C'Blk or Tile - 8"

Int Wall: Unfinished

Front/Doors: Incl. w / Base

Windows: Incl. w / Base

HORIZONTALS..Roof: 4-Ply Compo/ Wood Deck

Ceiling: Suspended Blk-Fiber

Struc Floor: 6" R'Concrete

Dock Level R'Conc

Partitions: Incl. w / Base

Framing: Wood - Average

HVAC: Suspended Unit Heater (Gas)

Lighting: Warehouse

PLUMBING....Toilet Room (2)

ADJUSTMENTS..Office-internal with Heat & A/C (576)

Floor - dock level adjustment (1050)

BLDG EXTRAS..1 Door: O.H. Door - Power, 9 Ft Wide, 0 Ft High

Commercial Building 2 of 3 -- Mini - Storage (716)

DBA: AIRE SERV HEATING & AIR CONDITIONING

STRUCTURE....1 story 2880 base SF 0 bsmt SF 2880 gross SF

Year Built: 1966 Eff Year: 1966 Condition: Below Normal

VERTICALS....Foundation: Reinforced Concrete w/o Bsmt

Ext Wall: Wood - Frame

Int Wall: Unfinished

Front/Doors: Incl. w / Base

HORIZONTALS..Roof: Asph. Shingle/ Wood Dk

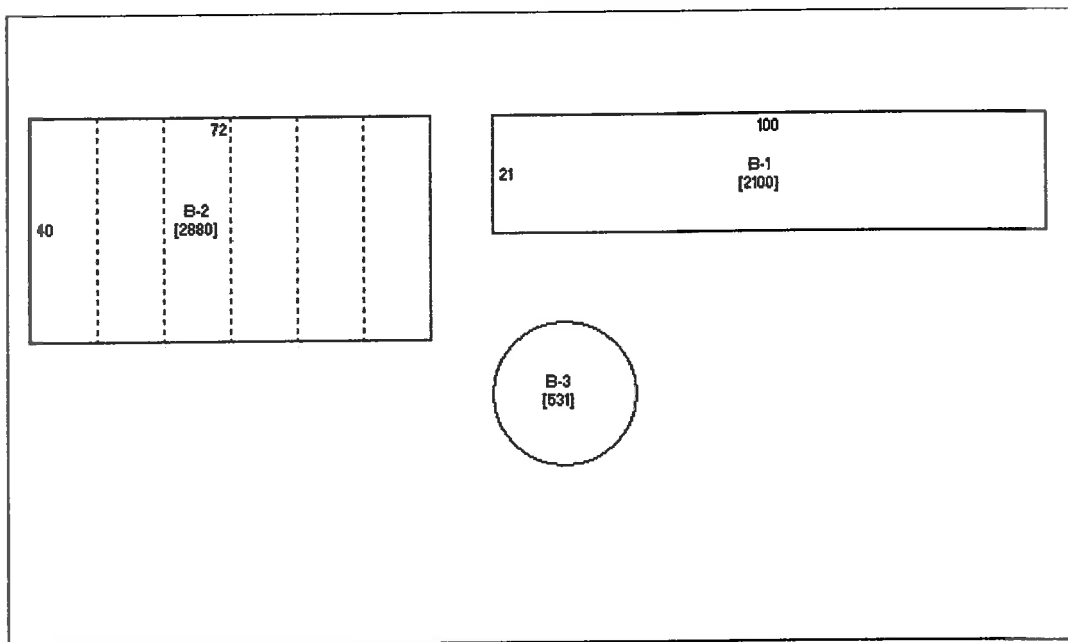
Ceiling: Unfinished

Struc Floor: 6" R'Concrete

Partitions: Incl. w / Base

Framing: Wood - Average
 HVAC: No HVAC
 Lighting: Warehouse (Lighting Only)
 ADJUSTMENTS..Heat - none (2880)
 Plumbing - no whse(sf) (2880)
 Partition - Plywood or OSB/Stud - (PSFSA) (2600)
 BLDG EXTRAS..6 Door: O.H. Door - Manual, 10 Ft Wide, 12 Ft High

 Commercial Building 3 of 3 -- Warehouse (701)
 DBA: AIRE SERV HEATING & AIR CONDITIONING
 STRUCTURE....1 story 531 base SF 0 bsmt SF 531 gross SF
 Year Built: 1966 Eff Year: 1966 Condition: Poor
 VERTICALS...Foundation: Reinforced Concrete w/o Bsmt
 Ext Wall: Wood - Frame
 Int Wall: Unfinished
 Front/Doors: Incl. w / Base
 HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
 Ceiling: Unfinished
 Struc Floor: 6" R'Concrete
 Framing: Wood - Average
 HVAC: No HVAC
 Lighting: No Electric
 ADJUSTMENTS..Heat - none (531)
 Plumbing - no whse(sf) (531)
 Electric - none (531)
 BLDG EXTRAS..1 Door: O.H. Door - Manual, 8 Ft Wide, 8 Ft High



1321 S MAIN ST, ANDREWS, LORRAINE

APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

CLERK RVD
23 FEB 18
PM 1:10

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Bushells add lots 1 and 2 Blk 1

Buyers are applying to purchase this property for the following purpose(s):

Build a single family home within two years

Buyers offer a total sum of \$ 7300.

In consideration of the information above, Buyers hereby certify and agree to the following:

- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- Title shall be taken subject to all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
 - Cash
 - Certified Check
 - Third Party Mortgage
 - City Financing with Mortgage/Promissory Note
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Buyers shall pay a one-time fee of \$50 dollars for filing and costs in the event they are awarded title.
- Buyers are purchasing the property AS IS, and may obtain insurance to cover risk of loss at their own cost.
- Buyers are entitled to possession of the described property upon receipt of the City Deed.
- Upon payment of the purchase price as provided in paragraph (e), the City shall convey title by City Deed.

<u>Miguel Santacruz</u>	<u>2-16-18</u>		
Buyer Signature	Date	Buyer Signature	Date
<u>Miguel Santacruz / USA Builders LLC</u>			
Print Name		Print Name	
Address <u>2423 S 8th St Council Bluffs IA 51501</u>		Address	
Phone/Email <u>712-314-8741 miguel.santacruz@gmail.com</u>		Phone/Email	

Internal Use Only

<u>Buildable Lot</u>	<u>Date Received</u>	<u>Offer Sufficient for Review</u>
<u>Remnant Parcel</u>	<u>Case #Assigned</u>	
<u>Previously Vacated ROW</u>	<u>Payment with Offer</u>	<u>Approved for Processing:</u>

Council Communication

Department: Public Works Admin
Case/Project No.:
Submitted by: Greg Reeder, Public
Works Director

Resolution 18-76

Council Action: 3/12/2018

Description

Resolution authorizing the City of Council Bluffs to apply for FY2019 State Transit Assistance through the Iowa Department of Transportation.

Background/Discussion

Every year the City of Council Bluffs is required to submit an Authorizing Resolution for State Transit Assistance (STA) for transit operations with the Iowa Department of Transportation's Joint Participation Agreement to provide Transit Assistance to Iowa's public transit systems.

Prior to receiving the funding, the City is required to submit to the Iowa DOT Office of Public Transit a notice of public hearing on the use of STA funds for the City's public transit systems, the Authorizing Resolution for Transit Assistance with the Iowa Department of Transportation, and a copy of city council minutes of the meeting where the public hearing is held.

The State Transit Assistance formula is based on ridership, revenue miles, operating expense and local match.

The Iowa Department of Transportation has indicated that the City will be eligible for an estimated \$215,583 in STA payments for FY2019. Currently the 2018 STA payments are anticipated to total approximately \$227,000 which was estimated last year at this time to be \$228,407. Application for the assistance has been prepared by city staff and must be submitted to the Iowa DOT.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 18-76	Resolution	3/6/2018

RESOLUTION
NO. 18-76

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION
FOR FY2019 STATE TRANSIT ASSISTANCE

WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$215,583 in State Transit Assistance for use in operating its transit system during FY2019; and

WHEREAS, a public hearing notice was published as required by law, and the Public Hearing was held on March 12, 2018; and

WHEREAS, the City Council of the City of Council Bluffs believes that it is in the best interest of the City to submit an Authorizing Resolution for State Transit Assistance to the Iowa DOT; and

.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized and directed to submit an Authorizing Resolution for FY2019 State Transit Assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED
AND
APPROVED

March 12, 2018

Matthew J Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community

Development

Case/Project No.: OTB-18-006

Submitted by: Rose Brown

Resolution 18-77

Council Action: 3/12/2018

Description

Resolution to deny disposal of City owned property legally described as the East Half of Lot 9 and the East Half of Lot 10, Block 1, Williams Subdivision of Mill Lot. (Formerly 616 Mill Street). OTB-18-006

Background/Discussion

The City has received an offer to purchase the property described above. The property is classified as 'transitional dispose' and 'buildable'. According to the adopted policy of March 14, 2016, the property should be priced at the appraised value or the amount most recently established by the Pottawattamie County Assessor. The applicant has offered \$1,200.

The applicant has indicated they are purchasing this as an investment property which will eventually be resold.

The City has incurred the following costs:

Demolition/legal fees: \$13,626.22

Weed abatement/mowing: \$ 1,903.64

Total: \$ 15,529.86

The most recent assessed valuation based on the Pottawattamie County Assessor webpage is \$7,410.00.

The applicant has not proposed a specific project or time frame for construction on the lot.

Recommendation

The Community Development Department does not recommend selling property legally described as the East Half of Lot 9 and the East Half of Lot 10, Block 1, Williams Subdivision of Mill Lot, City of Council Bluffs, Pottawattamie County, Iowa.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	3/6/2018
Resolution 18-77	Resolution	3/6/2018

Case #OTB-18-006



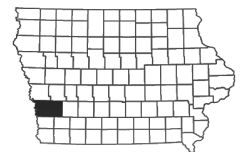
Pottawattamie County GIS
223 S. 6th St
Council Bluffs, IA 51501
(712) 328-4885
gis@pottcounty.com
<http://gis.pottcounty.com>



1in = 56ft

Map Published: 1/23/2018

Pottawattamie County makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts this same A.C.I.S. WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further, covenants and agrees to hold Pottawattamie County harmless from any and all damage, loss, or liability arising from any use of this map.



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 18-77

A RESOLUTION TO DENY DISPOSAL OF CITY PROPERTY LEGALLY DESCRIBED AS THE EAST HALF OF LOT 9 AND THE EAST HALF OF LOT 10, BLOCK 1, WILLIAM'S SUBDIVISION OF MILL LOT, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Hillsboro Inlet, LLC, to purchase the City owned property legally described the East Half of Lot 9 and the East Half of Lot 10, Block 1, William's Subdivision of Mill Lot, City of Council Bluffs, Pottawattamie County, Iowa.

WHEREAS, a public hearing has been held in this matter.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City does hereby deny disposal of City property legally described as the East Half of Lot 9 and the East Half of Lot 10, Block 1, William's Subdivision of Mill Lot, City of Council Bluffs, Pottawattamie County, Iowa.

ADOPTED
AND
APPROVED:

March 12, 2018

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

(Case #OTB-18-006)

Council Communication

Department: Community

Development

Case/Project No.: OTB-18-007

Submitted by: Rose Brown

Resolution 18-78

Council Action: 3/12/2018

Description

Resolution to deny disposal of City owned property legally described as the West 45 feet of Lot 12 except for the North 6 feet for alley, Block 25, Everett Addition. (Formerly 1618 7th Avenue). OTB-18-007

Background/Discussion

The City has received an offer to purchase the property described above. The property is classified as 'transitional dispose' and 'buildable'. According to the adopted policy of March 14, 2016, the property should be priced at the appraised value or the amount most recently established by the Pottawattamie County Assessor. The applicant has offered \$1,300.

The applicant has indicated they are purchasing this as an investment property which will eventually be resold.

The City has incurred the following costs:

Demolition/legal fees: \$13,469.87

Weed abatement/mowing: \$ 1,776.05

Total: \$ 15,245.92

The most recent assessed valuation based on the Pottawattamie County Assessor webpage is \$7,220.00.

The applicant has not proposed a specific project or time frame for construction on the lot.

Recommendation

The Community Development Department does not recommend selling the property legally described as the West 45 feet of Lot 12 except for the North 6 feet for alley, Block 25, Everett Addition, City of Council Bluffs, Pottawattamie County, Iowa.

ATTACHMENTS:

Description	Type	Upload Date
OTB-18-007 Hillsboro Inlet Attach A (3-12-18) CC	Other	2/27/2018
Resolution 18-78	Resolution	3/6/2018

CASE #OTB-18-007



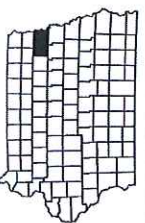
Portawaukee County GIS
 223 S. 6th St
 Council Bluffs, IA 51501
 (712) 328-4885
 gis@portcounty.com
 http://gis.portcounty.com

Map Published: 2/16/2018



1in = 56ft

Portawaukee County GIS is not responsible for any errors or omissions in this map. The user assumes all liability for any use of this map. Portawaukee County GIS is not responsible for any damages, including but not limited to, loss of data, equipment, or other damages, resulting from the use of this map. Portawaukee County GIS is not responsible for any damages, including but not limited to, loss of data, equipment, or other damages, resulting from the use of this map.



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 18-78

A RESOLUTION TO DENY DISPOSAL OF CITY PROPERTY LEGALLY DESCRIBED AS THE WEST 45 FEET OF LOT 12, EXCEPT FOR THE NORTH 6 FEET FOR ALLEY, BLOCK 25, EVERETT ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Hillsboro Inlet, LLC, to purchase the City owned property legally described the West 45 feet of Lot 12 except for the North 6 feet for alley, Block 25, Everett Addition, City of Council Bluffs, Pottawattamie County, Iowa.

WHEREAS, a public hearing has been held in this matter.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City does hereby deny disposal of City property legally described as the West 45 feet of Lot 12, except for the North 6 feet for alley, Block 25, Everett Addition, City of Council Bluffs, Pottawattamie County, Iowa.

ADOPTED
AND
APPROVED:

March 12 2018

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

(Case #OTB-18-007)

Council Communication

Department: Community

Development

Case/Project No.: OTB-18-005

Submitted by: Rose Brown

Resolution 18-79

Council Action: 3/12/2018

Description

Resolution to deny disposal of City owned property legally described s the South 58 feet of Lot 47, Johnson Addition. (Formerly 315 Benton Street).

Background/Discussion

The City has received an offer to purchase the property described above. The property is classified as 'transitional dispose' and 'buildable'. According to the adopted policy of March 14, 2016, the property should be priced at the appraised value or the amount most recently established by the Pottawattamie County Assessor. The applicant has offered **\$1,500**.

The applicant has indicated they are purchasing this as an investment property which will eventually be resold.

The City has incurred the following costs:

Demolition/legal fees: \$15,510.31

Weed abatement/mowing: \$ 3,992.24

Retaining wall: \$10,925.00

Total: \$ 30,427.55

The most recent assessed valuation based on the Pottawattamie County Assessor webpage is \$12,825.00.

The applicant has not proposed a specific project or time frame for construction on the lot.

Recommendation

The Community Development Department does not recommend selling the property legally described as the 58 Feet of Lot 47, Johnson Addition, City of Council Bluffs, Pottawattamie County, Iowa, to Hillsboro Inlet, LLC.

ATTACHMENTS:

Description	Type	Upload Date
OTB-18-005 Hillsboro Inlet Location Map (3-12-18) CC	Resolution	2/27/2018
Resolution 18-79	Resolution	3/6/2018

CASE #OTB-18-005



Pottawattamie County GIS
223 S. 6th St
Council Bluffs, IA 51501
(712) 328-4885
gis@pottcounty.com
<http://gis.pottcounty.com>



1in = 102ft

Map Published: 1/23/2018

Pottawattamie County makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts this same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further, covenants and agrees to hold Pottawattamie County harmless from any and all damage, loss, or liability arising from any use of this map.



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO.18-79

A RESOLUTION TO DENY DISPOSAL OF CITY PROPERTY LEGALLY DESCRIBED AS THE SOUTH 58 FEET OF LOT 47, JOHNSON ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Hillsboro Inlet, LLC, to purchase the City owned property legally described as the South 58 Feet of Lot 47, Johnson Addition, City of Council Bluffs, Pottawattamie County, Iowa.

WHEREAS, a public hearing has been held in this matter.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City does hereby deny disposal of City property legally described as the South 58 feet of Lot 47, Johnson Addition, City of Council Bluffs, Pottawattamie County, Iowa.

ADOPTED
AND
APPROVED

March 12 2018

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

(Case #OTB-18-005)

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Kathryn Knott

Resolution 18-80

Council Action: 3/12/2018

Description

Resolution instituting proceedings to take additional action for the issuance of General Obligation Bonds, not to exceed \$364,000.

Background/Discussion

The City of Council Bluffs has established this time and place for a public hearing on the issuance of General Obligation Bonds for general corporate purpose in an amount not to exceed \$364,000.

The purpose of these bonds is to pay the costs of improvement and equipping fire stations as stated in the fiscal year 2019 CIP.

Recommendation

Approve the resolution

ATTACHMENTS:

Description

Resolution 18-80

Type

Resolution

Upload Date

3/6/2018

ITEMS TO INCLUDE ON AGENDA FOR MARCH 12, 2018

CITY OF COUNCIL BLUFFS, IOWA

Resolution 18-80

Not to Exceed \$364,000 General Obligation Bonds.

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 12, 2018

The City Council of the City of Council Bluffs, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at _____ .M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$364,000 General Obligation Bonds, in order to provide funds to pay the costs of improvement, and equipping of fire stations, for general corporate purposes, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa, and the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Bonds be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Bonds. The Clerk advised the Mayor and the Council that _____ written objections had been filed. The Mayor then called for oral objections to the issuance of the Bonds and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$364,000 GENERAL OBLIGATION BONDS", and moved:

- ☐ that the Resolution be adopted.
- ☐ to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2018, at this place.

Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 18-80

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$364,000 GENERAL OBLIGATION BONDS

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$364,000 General Obligation Bonds, for the general corporate purposes, in order to provide funds to pay the costs of improvement, and equipping of fire stations, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$364,000 General Obligation Bonds, for the foregoing general corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 12th day of March, 2018.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2018.

(SEAL)

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Kathryn Knott

Resolution 18-81

Council Action: 3/12/2018

Description

Resolution instituting proceedings to take additional action for the issuance of General Obligation Bonds, not to exceed \$12,186,000.

Background/Discussion

The City of Council Bluffs has established this time and place for a public hearing on the issuance of General Obligation Bonds for essential corporate purpose in an amount not to exceed \$12,186,000.

The general obligation bonds are being issued in accordance with the fiscal year 2019 capital improvement plan and for the refunding of the 2009B and 2010C bonds. The bonds are for:

- a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction , reconstruction, and repairing of any street improvements, bridges, grade crossings separations and approaches, the acquisition, installation , and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;
- b) acquisition, construction, reconstruction, and improvements of real and personal property useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement , and widening of streets, avenues, boulevards, and alleys across and adjacent to the project as well as the development and beautification of the banks and other areas adjacent to flood control improvements;
- c) rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks, and
- d) settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, or judgements, or the funding or refunding of the same, whether or not such indebtedness was created for a purpose for which general obligation bonds might have been issued in the original instance.

Recommendation

Approve the resolution

ATTACHMENTS:

Description	Type	Upload Date
Resolution 18-81	Resolution	3/6/2018

ITEMS TO INCLUDE ON AGENDA FOR MARCH 12, 2018

CITY OF COUNCIL BLUFFS, IOWA

Resolution 18-81

Not to Exceed \$12,186,000 General Obligation Bonds.

- Public hearing on the issuance.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 12, 2018

The City Council of the City of Council Bluffs, State of Iowa, met in _____
session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at
_____.M., on the above date. There were present Mayor _____, in the
chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$12,186,000 General Obligation Bonds, in order to provide funds to pay the costs of:

- a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;
- b) acquisition, construction, reconstruction, and improvement of real and personal property useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements;
- c) rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks; and
- d) settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, or judgments, or the funding or refunding of the same, whether or not such indebtedness was created for a purpose for which general obligation bonds might have been issued in the original instance,

for essential corporate purposes, and that notice of the proposal to issue the Bonds had been published as provided by Section 384.25 of the Code of Iowa.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Bonds. The Clerk advised the Mayor and the Council that _____ written objections had been filed. The Mayor then called for oral objections to the issuance of the Bonds and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the issuance of the Bonds to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$12,186,000 GENERAL OBLIGATION BONDS", and moved:

- ☐ that the Resolution be adopted.
- ☐ to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of bonds to the meeting to be held at _____ .M. on the _____ day of _____, 2018, at this place.

Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

Resolution 18-81

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$12,186,000 GENERAL OBLIGATION BONDS

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$12,186,000 General Obligation Bonds, for the essential corporate purposes, in order to provide funds to pay the costs of:

a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;

b) acquisition, construction, reconstruction, and improvement of real and personal property useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements;

c) rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks;

d) settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, or judgments, or the funding or refunding of the same, whether or not such indebtedness was created for a purpose for which general obligation bonds might have been issued in the original instance,

and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$12,186,000 General Obligation Bonds, for the foregoing essential corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 12th day of March, 2018.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2018.

(SEAL)

Council Communication

Department: Community

Development

Case/Project No.: SUB-18-004

Resolution 18-87

Council Action: 3/12/2018

Submitted by: Christopher

Gibbons

Description

Resolution granting final plat approval of a three-lot commercial subdivision to be known as PACE Subdivision. (Location: Geographically bounded by 10th Avenue to the North, South Main Street to the East, 12th Avenue to the South and the South Expressway to the West.) SUB-18-004

Background/Discussion

The Community Development Department has received a request from PACE Harvester II, LLC, represented by Terry Rothanzl of Olsson Associates, for final plat approval of a three lot commercial subdivision to be known as PACE Subdivision. The proposed subdivision is comprised of approximately 4.46 acres of land and is geographically bounded by 10th Avenue to the North, South Main Street to the East, 12th Avenue to the South and the South Expressway to the West. Proposed Lot 1, PACE Subdivision will be developed with the new Hoff Family Arts & Culture Center and associated off-street parking. Proposed Lot 2, PACE Subdivision will be a future development site. Proposed Lot 3, PACE Subdivision will be used off-street parking for the new Hoff Family Arts & Culture Center as well as a future development site.

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. Proposed Lot 1, PACE Subdivision is comprised of 1.53 acres of land and is split-zoned zoned I-2/Industrial District and C-3/Commercial District with an adopted development plan (pending, see Case #ZC-18-002). Proposed Lot 2, PACE Subdivision is comprised of 1.43 acres of land and is split-zoned I-2/Industrial District and R-4/High Density Multi-Family Residential District. Proposed Lot 3, PACE Subdivision is comprised of 1.51 acres of land and is zoned I-2/Industrial District. All proposed lots comply with the C-3/Commercial District and I-2/Industrial District minimum size requirements.
3. The proposed subdivision includes sections of vacated 11th Avenue right-of-way, which were disposed of by City Council to the applicant on February 26, 2018 (see Case #OTB-18-008, Resolution No. 18-63). Proposed Lots 1 and 2, PACE Subdivision includes portions of the East north/south alley in Block 15, Riddles Subdivision which was vacated by City Council on August 28, 2017 (see Case #SAV-17-002, Resolution No. 17-175). Said alley section has not been conveyed to the applicant or any other abutting property owner. The applicant shall acquire their portion of north/south alley in Block 15, Riddles Subdivision prior to executing the final plat. Furthermore, proposed Lot 3, PACE Subdivision contains a section of 11th Avenue right-of-way, which has not been vacated. Said 11th Avenue right-of-way section is legally described as abutting the East 29 feet of Lot 7, Block 11, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with abutting the East 23 feet of Lot 20, Riddles Subdivision and the vacated north/south alley adjacent. This segment of 11th Avenue right-of-way shall be excluded from the proposed subdivision since it has not been vacated.
4. All proposed lots directly abut one or more of the following existing public right-of-ways: 10th Avenue, South Main Street, 12th Avenue and South 6th Street. No new right-of-way are proposed to be dedicated to

the City because of this subdivision.

5. Council Bluffs Public Works Department is reconstructing the segment of South 6th Street that abuts the proposed PACE Subdivision. The reconstruction project includes the installation of new sidewalks along South 6th Street. The applicant shall be responsible for the installation of sidewalks along 12th Avenue and South Main Street at the time proposed Lots 2 and 3, PACE Subdivision are developed.

6. The standard five-foot and ten-foot utility easements along the front, side and rear lot lines is not required for the proposed final plat as each lot in the subdivision has access to existing utilities in the adjacent City right-of-way. Furthermore, no existing and/or new utilities are installed within said five and ten-foot easements as per comments received from Black Hills Energy, Cox Communications, Council Bluffs Water Works, Council Bluffs Public Works and Mid-American Energy Company.

7. All electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.

8. The Council Bluffs Fire Department and Police Department stated they have no comments for the proposed subdivision.

9. A copy of any private easements/covenants shall be provided to the City and recorded with the final plat.

10. The following technical corrections shall be made to the proposed final plat prior to being executed:

a. Include the vacated 10th Avenue right-of-way adjacent to Lot 13, Block 10, Riddles Subdivision in the PACE Subdivision caption;

b. Revise the spelling of “replat” in the PACE Subdivision caption;

c. Show all existing lots and alleys of record in half-tone lines on the final plat;

d. Revise the legal description for Tract 1 to include the South 8 feet of vacated 10th Avenue adjacent to Lot 13, Block 10, Riddles Subdivision;

e. Exclude the segment of 11th Avenue right-of-way abutting the the East 29 feet of Lot 7, Block 11, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with abutting the East 23 feet of Lot 20, Riddles Subdivision and the vacated north/south alley adjacent from Tract 2 legal description and metes/bound description;

f. Use the term “vacated” as opposed to “disposed” for all sections of 10th and 11th Avenues that have been vacated and dispose of by City Council;

g. Relabel “South 7th Street” as “South Expressway” on the final plat;

h. Refer to the Mayor as the ‘The Honorable Matthew J. Walsh’ on the final plat;

i. Refer to the City Clerk as “Jodi Quakenbush” on the final plat; and

j. Exclude “part of Lot 115, Fox Run Landing” from the Surveyor’s Certification statement.

Recommendation

The Community Development Department recommends approval of the final plat to be known as PACE Subdivision, subject to the following:

1. All technical corrections shall be incorporated into the final plat document prior to being executed; and

2. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and

3. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and

4. The applicant shall acquire their portion of the vacated West north/south alley in Block 15, Riddles Subdivision prior to executing the final plat; and
5. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
6. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded; and
7. The applicant shall be responsible for the installation of sidewalks along 12th Avenue and South Main Street at the time proposed Lots 2 and 3, PACE Subdivision are developed, at no cost to the City.

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-004 PACE Sub Final Plat Map (3-12-18) CC	Map	3/2/2018
Resolution 18-87	Resolution	3/6/2018

RESOLUTION NO. 18-87

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A THREE-LOT COMMERCIAL SUBDIVISION TO BE KNOWN AS PACE SUBDIVISION.

WHEREAS, PACE Harvester II, LLC, has requested final plat approval of a three lot commercial subdivision to be known as PACE Subdivision, legally described as being a replat of Blocks 10, 11, 14 and 15, Riddles Subdivision along with vacated 10th and 11th Avenue right-of-ways adjacent, all in the City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, The proposed subdivision is comprised of approximately 4.46 acres of land and is geographically bounded by 10th Avenue to the North, South Main Street to the East, 12th Avenue to the South and the South Expressway to the West; and

WHEREAS, The following comments were provided for the proposed subdivision request:

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. Proposed Lot 1, PACE Subdivision is comprised of 1.53 acres of land and is split-zoned zoned I-2/Industrial District and C-3/Commercial District with an adopted development plan (pending, see Case #ZC-18-002). Proposed Lot 2, PACE Subdivision is comprised of 1.43 acres of land and is split-zoned I-2/Industrial District and R-4/High Density Multi-Family Residential District. Proposed Lot 3, PACE Subdivision is comprised of 1.51 acres of land and is zoned I-2/Industrial District. All proposed lots comply with the C-3/Commercial District and I-2/Industrial District minimum size requirements.
3. The proposed subdivision includes sections of vacated 11th Avenue right-of-way, which were disposed of by City Council to the applicant on February 26, 2018 (see Case #OTB-18-008, Resolution No. 18-63). Proposed Lots 1 and 2, PACE Subdivision includes portions of the East north/south alley in Block 15, Riddles Subdivision which was vacated by City Council on August 28, 2017 (see Case #SAV-17-002, Resolution No. 17-175). Said alley section has not been conveyed to the applicant or any other abutting property owner. The applicant shall acquire their portion of north/south alley in Block 15, Riddles Subdivision prior to executing the final plat. Furthermore, proposed Lot 3, PACE Subdivision contains a section of 11th Avenue right-of-way, which has not been vacated. Said 11th Avenue right-of-way section is legally described as abutting the East 29 feet of Lot 7, Block 11, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with abutting the East 23 feet of Lot 20, Riddles Subdivision and the vacated north/south alley adjacent. This segment of 11th Avenue right-of-way shall be excluded from the proposed subdivision since it has not been vacated.
4. All proposed lots directly abut one or more of the following existing public right-of-ways: 10th Avenue, South Main Street, 12th Avenue and South 6th Street. No new right-of-ways are proposed to be dedicated to the City because of this subdivision.

5. Council Bluffs Public Works Department is reconstructing the segment of South 6th Street that abuts the proposed PACE Subdivision. The reconstruction project includes the installation of new sidewalks along South 6th Street. The applicant shall be responsible for the installation of sidewalks along 12th Avenue and South Main Street at the time proposed Lots 2 and 3, PACE Subdivision are developed.
6. The standard five-foot and ten-foot utility easements along the front, side and rear lot lines is not required for the proposed final plat as each lot in the subdivision has access to existing utilities in the adjacent City right-of-way. Furthermore, no existing and/or new utilities are installed within said five and ten-foot easements as per comments received from Black Hills Energy, Cox Communications, Council Bluffs Water Works, Council Bluffs Public Works and Mid-American Energy Company.
7. All electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
8. The Council Bluffs Fire Department and Police Department stated they have no comments for the proposed subdivision.
9. A copy of any private easements/covenants shall be provided to the City and recorded with the final plat.
10. The following technical corrections shall be made to the proposed final plat prior to being executed:
 - a. Include the vacated 10th Avenue right-of-way adjacent to Lot 13, Block 10, Riddles Subdivision in the PACE Subdivision caption;
 - b. Revise the spelling of “replat” in the PACE Subdivision caption;
 - c. Show all existing lots and alleys of record in half-tone lines on the final plat;
 - d. Revise the legal description for Tract 1 to include the South 8 feet of vacated 10th Avenue adjacent to Lot 13, Block 10, Riddles Subdivision;
 - e. Exclude the segment of 11th Avenue right-of-way abutting the East 29 feet of Lot 7, Block 11, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with abutting the East 23 feet of Lot 20, Riddles Subdivision and the vacated north/south alley adjacent from Tract 2 legal description and metes/bound description;
 - f. Use the term “vacated” as opposed to “disposed” for all sections of 10th and 11th Avenues that have been vacated and dispose of by City Council;
 - g. Relabel “South 7th Street” as “South Expressway” on the final plat;
 - h. Refer to the Mayor as the “The Honorable Matthew J. Walsh” on the final plat;

- i. Refer to the City Clerk as “Jodi Quakenbush” on the final plat; and
- j. Exclude “part of Lot 115, Fox Run Landing” from the Surveyor’s Certification statement; and

WHEREAS, The Community Development Department recommends approval of the final plat to be known as PACE Subdivision, subject to the following:

1. All technical corrections shall be incorporated into the final plat document prior to being executed; and
2. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
3. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
4. The applicant shall acquire their portion of the vacated West north/south alley in Block 15, Riddles Subdivision prior to executing the final plat; and
5. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
6. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded; and
7. The applicant shall be responsible for the installation of sidewalks along 12th Avenue and South Main Street at the time proposed Lots 2 and 3, PACE Subdivision are developed, at no cost to the City.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the final plat approval for 3-lot commercial subdivision to be known as PACE Subdivision, as legally described above and shown on Attachment ‘A’, is hereby approved subject to all local, state and federal regulations; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

RESOLUTION NO. _____

PAGE 4

ADOPTED
AND
APPROVED

March 12, 2018.

MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Planning Case No. #SUB-18-004

Council Communication

Department: City Clerk

Case/Project No.: CASE #ZC-18-001

Ordinance 6320

Council Action: 3/12/2018

Submitted by: Rose E. Brown

Description

Ordinance to amend the zoning map, as adopted by reference in Section 15.02.070, by rezoning property legally described as Lots 1 and 2, INRIP Subdivision Tract 3, from I-2/General Industrial District to PC/Planned Commercial District as defined in Chapter 15.18. (Northeast corner of South 35th Street and Nebraska Avenue).

Background/Discussion

The Community Development Department has received an application from R&J Hospitality, LLC, represented by Ranjit Johal, to rezone the property legally described as Lot 2, INRIP Subdivision Tract 3, City of Council Bluffs, Pottawattamie County, Iowa, from I-2/General Industrial District to P-C/Planned Commercial District. The property is comprised of 2.01 acres, and houses a hotel, which is currently not a permitted use in the I-2/General Industrial District, meaning the property currently has a legal nonconforming use. The rezoning of this property is requested to correct the current legal nonconforming status, and there is no new construction proposed at this time.

The Community Development Department has expanded the request to include the automotive service establishment immediately to the south of the proposal. This property, legally described as Lot 1, INRIP Subdivision Tract 3, and addressed as 3434 Nebraska Avenue is a gas station, and would also be a permitted use in the P-C/Planned Commercial District.

Land Use and Zoning

Surrounding zoning includes P-C/Planned Commercial to the west and immediately to the south, and I-2/General Industrial District to the east and north. Existing land uses in the general vicinity of this request include one residence, and two commercial properties to the north, undeveloped land to the west, a commercial business to the east, and additional businesses to the south.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the subject property as Regional Commercial.

Public notices were mailed to all property owners within 200 feet of the request. No comments were received for the request.

All City Departments and local utilities were notified of the proposed rezoning. The Council Bluffs Public Works Department, Council Bluffs Waterworks, and MidAmerican Energy all stated they have no comments or objections to the rezoning request.

The following attachments are included with the case staff report:

- Attachment A: Location/zoning map
- Attachment B: Letter of Intent
- Attachment C: Site Photos

1. There is no new construction proposed on the subject properties, and the rezoning request will correct a legally nonconforming use on the site.
2. If approved, the subject properties will be zoned in the same district as properties located in the area.

3. The proposed rezoning will be consistent with the Bluffs Tomorrow 2030: Land Use Plan.
4. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate commercial use(s) on the subject property.

Recommendation

The Community Development Department recommends approval of the request to rezone property legally described as Lots 1 and 2, INRIP Subdivision Tract 3, City of Council Bluffs, Pottawattamie County, Iowa from I-2/General Industrial District to P-C/Planned Commercial District, based on reasons stated above.

City Planning Commission Public Hearing

No one spoke on matters of this case.

The City Planning Commission recommends approval of the request to rezone property legally described as Lots 1 and 2, INRIP Subdivision Tract 3, City of Council Bluffs, Pottawattamie County, Iowa from I-2/General Industrial District to P-C/Planned Commercial District, based on reasons stated above.

Aye-8, Nay-0, Abstain-0, Absent-3. Motion carries.

ATTACHMENTS:

Description	Type	Upload Date
Public hearing notice	Other	2/16/2018
Attachments A, B, C	Map	2/16/2018
Ordinance 6320	Ordinance	3/6/2018

NOTICE OF PUBLIC HEARING

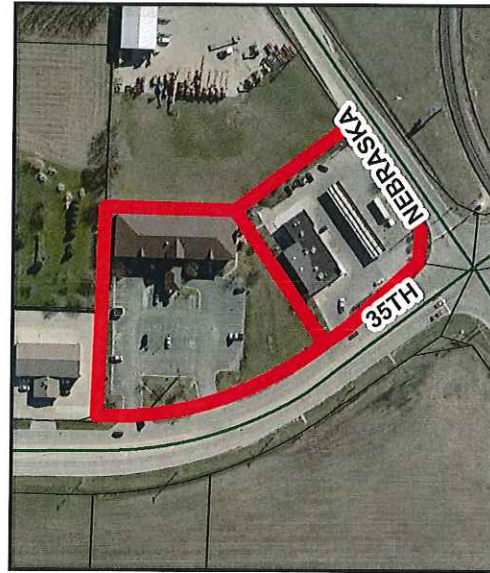
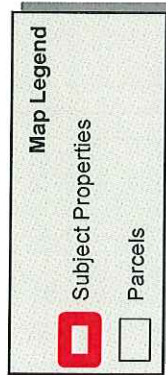
TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lots 1 and 2, INRIP Subdivision, Tract 3, City of Council Bluffs, Pottawattamie County, Iowa from I-2 General Industrial District to PC/Planned Commercial District.

You are further notified that the Public Hearing on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 12th day of March, 2018, in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

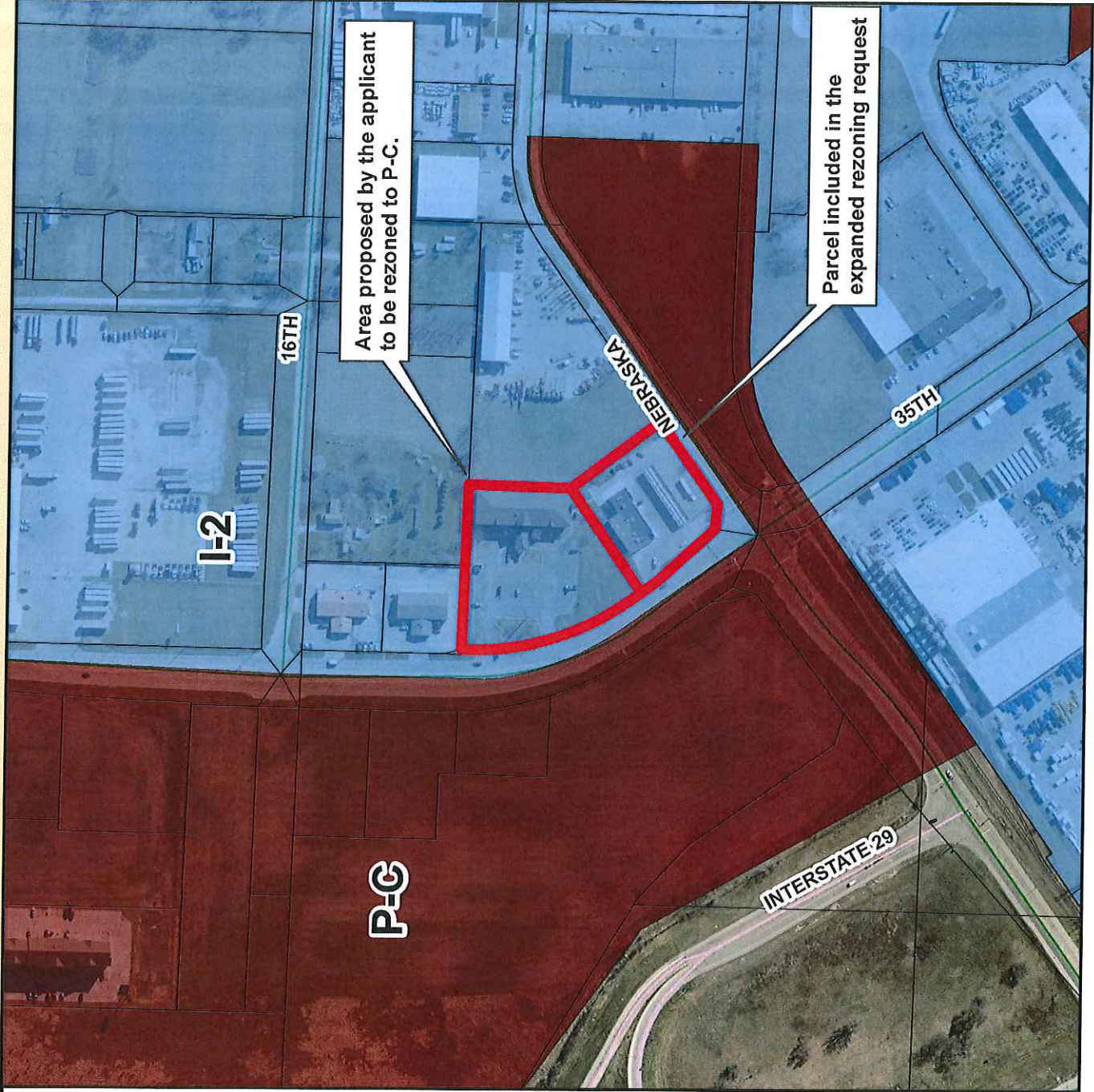
CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-18-001 LOCATION AND ZONING MAP



Last Amended: 1/24/18

Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629

DISCLAIMER
This map is prepared and compiled from various sources and is not a legal document. It is for informational purposes only. The City of Council Bluffs is not responsible for any errors or omissions. The user of this map assumes all liability for any use of the information contained herein. The City of Council Bluffs is not responsible for any use of the information contained herein.



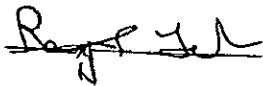
To Whom It May Concern:

Re: rezoning of the Property 1801 S 35th St Council Bluffs IA 51501

Please consider our application for Re Zoning of the above addressed property from I2 to PC. The property is under contract for sale and the bank is requesting the property to be zoned commercial therefore in order to facilitate the sale we need the property rezoned.

We do not plan to do any new construction on the property, the zoning of the property was just brought to our attention during a recent appraisal and the bank requires the property to be zoned commercial as most Hotels are zoned commercial

Thanks

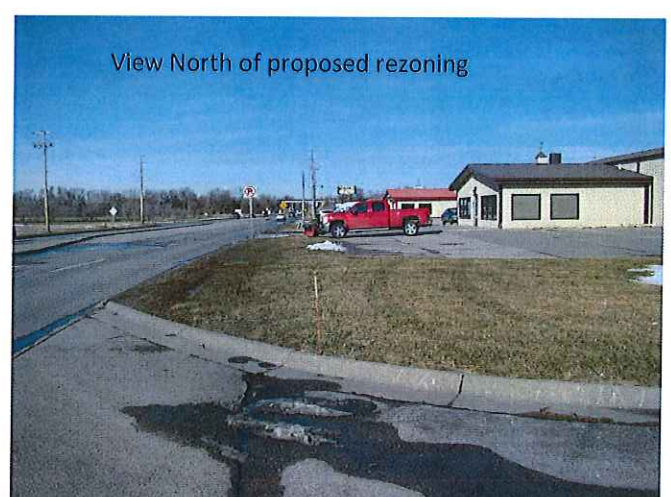
A handwritten signature in black ink, appearing to read 'Ranjit Johal', written over a horizontal line.

Ranjit Johal
R&J Hospitality LLC

Dated : 1/10/18

Attachment C:

Site Photos



ORDINANCE NO. 6320

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS LOTS 1 AND 2, INRIP SUBDIVISION TRACT 3, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM I-2/GENERAL INDUSTRIAL DISTRICT TO P-C/PLANNED COMMERCIAL DISTRICT AS DEFINED IN CHAPTER 15.18 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone the property legally described as Lots 1 and 2, INRIP Subdivision Tract 3, City of Council Bluffs, Pottawattamie County, Iowa from I-2/General Industrial District to P-C/Planned Commercial District.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED _____ 2018

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 2-26-18
Second Consideration: 3-12-18
Public Hearing: 3-12-18
Third Consideration: _____

Council Communication

Department: City Clerk

Case/Project No.: CASE #ZC-18-002

Ordinance 6321

Council Action: 3/12/2018

Submitted by: Rose E. Brown

Description

Ordinance to Amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property located at 1001 South 6th Street and surrounding area more particularly described in the staff report and to repeal Ordinance No. 6174 which appended a PR/Planned Residential Overlay.

Background/Discussion

The Community Development Department has received an application from PACE Harvester II, LLC to rezone property located 1001 South 6th Street, as legally described above, from R-4/High Density Residential District to C-3/Commercial District and to adopt an associated development plan. The Community Development Department expanded the request to include rezoning the adjacent vacated 11th Avenue right-of-way from I-2/Industrial District to C-3/Commercial District and to adopt the associated development plan along with repealing Ordinance No. 6174, which appended a planned residential overlay to the subject property.

The purpose of these requests is to allow the Pottawattamie Arts, Culture and Entertainment (PACE) organization to renovate the historic McCormick Harvesting Machine Company structure (a.k.a. International Harvester II) and to build a new 24,173 square foot addition for their new Hoff Family Arts and Culture Center on the subject properties. The new Hoff Family Arts and Culture Center will be a multi-use facility that features a 245-seat theater, rehearsal areas, classrooms, artist studios, culinary kitchen area, café and office space.

Land Use and Zoning

The subject vacated 11th Avenue right-of-way is zoned R-4/High-Density Multi-Family Residential District and I-2/Industrial District (see Attachment A). The property owned by the applicant is zoned R-4/High-Density Multi-Family Residential District with a Planned Residential (PR) Overlay (see Ordinance No. 6174 adopted on 5/20/13).

Surrounding zoning includes C-2/Commercial District and I-2/Industrial District to the north; R-4/High-Density Multi-Family Residential District to the east; and I-2/Industrial District to the south and west. Surrounding land uses include All-Care Health Center, contractor shops, ArtSpace (mixed commercial/residential structure) and undeveloped land. The proposed Hoff Family Arts and Culture Center will not contain any residential dwellings; therefore, the current R-4/High-Density Multi-Family Residential District and associated Planned Residential (PR) Overlay are no longer necessary for the subject property.

The C-3/Commercial District will allow land uses associated with the Hoff Family Arts and Culture Center as a permitted use.

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as Downtown/Mixed-Use. The South Main Street Sub-Area Plan of the Bluffs Tomorrow: 2030 Plan identifies the subject property as a redevelopment site that should focus on artist spaces, residences and other local uses. The proposed rezoning and development proposal are consistent with the Bluffs Tomorrow: 2030 Plan.

Public notices were mailed to all property owners within 200 feet of the request. No comments have been received for this request as of the date of this report.

All City Departments and local utilities were notified of the proposed rezoning. No adverse comments have been received for this request as of the date of this report. Comments regarding the proposed development plans are stated below.

Development Plan

The applicant has submitted development plans for the proposed Hoff Family Arts and Culture Center, as required per Section 15.16.050, *Site development regulations* in the C-3/Commercial District of the Municipal Code (Zoning Ordinance). These development plans will be adopted as part of the rezoning approval and are intended to provide flexibility in the design/layout for the proposed Hoff Family Arts and Culture Center on the subject property.

1. The conceptual site plan shows the renovation of the International Harvester II structure and a new building addition on its south façade (see Attachment B). The proposed addition is located within a section of vacated 11th Avenue, which is currently owned by the City of Council Bluffs. The applicant shall acquire said right-of-way from the City prior to issuance of any building permits for the proposed project (pending).
2. The conceptual site plan shows a zero setback and maximum lot coverage of 100% for all structures on the subject property. These design standards were requested by the applicant in order to accommodate the unique layout and design of their new Hoff Family Arts and Culture Center. The Community Development Department finds the requested setbacks and lot coverage to be consistent with the design of most properties in downtown Council Bluffs and recommends approval.

(Note: The minimum setbacks and lot coverage are specific to the subject property only. The Council Bluffs Public Works Department shall approve any buildings and/or structure encroachments into the adjacent City right-of-ways prior to construction.)

3. Architectural plans shows the renovation of the International Harvester II structure and construction of a new building addition (see Attachment C). The building heights will vary from 15 feet to a maximum of 165 feet from finished grade. The exterior of the International Harvester II will be renovated to include new windows, doors, awnings and tuck pointing of damaged masonry. The exterior facades of the new addition will be constructed out a mixture of aluminum glass windows, precast panels with integral thin brick and metal composite wall panel systems. The overall appearance and design of the building is compatible with the surrounding area. The Community Development Department recommends approval of the architectural designs, as proposed.
4. The Hoff Family Arts and Culture Center includes a variety of land uses with different off-street parking requirements (see Attachment C). The conceptual site plan shows that off-street parking will be provided through a combination of new and shared parking lots on nearby properties. The total number of required parking spaces shall be determined once the final floor plans for the project are designed. All required off-street parking shall be provided in accordance with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Municipal Code (Zoning Ordinance).
5. Signage plans were not submitted with the proposed development plans. All proposed signage shall comply with the C-3/Commercial District standards stated in Chapter 15.33, *Signs*, of the Municipal Code (Zoning Ordinance).
6. Outdoor lighting plans were not submitted with the proposed development plans. All proposed outdoor lighting shall comply with the standards stated in Section 15.24.050, *Lighting Controls*, of the Municipal Code (Zoning Ordinance).
7. The Council Bluffs Public Works Department has plans to rebuild and install streetscape improvements along South 6th Street from 10th Avenue to 12th Avenue, adjacent to the project site.
8. The Council Bluffs Fire Department stated they have no comments for the proposed request.

9. Mid-American Energy and Cox Communication stated they have utilities along South 6th Street, adjacent to the project site. Any costs to remove, extend and/or relocate these utilities shall be at the expense of the applicant.
10. Black Hills Energy stated they have no objection to the proposed request.
11. The following attachments are included with the case staff report:
 - Attachment A: Location/zoning map
 - Attachment B: Conceptual site layout plan
 - Attachment C: Conceptual architectural plans
 - Attachment D: Off-street parking summary table

Recommendation

The Community Development Department recommends approval of the following requests, based on reasons stated above:

1. Rezone property located at 1001 South 6th Street, legally described as Lots 8 through 13 Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with the South 8 feet of the vacated 10th Avenue adjacent, from R-4/High Density Residential District to C-3/Commercial District and to adopt an associated development plan.
2. Rezone vacated 11th Avenue right-of-way located between Lot 8, Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent and Lot 13, Block 15, Riddles Subdivision and the West ½ of the adjacent north/south alley from I-2/Industrial District to C-3/Commercial District and adopt the associated development plan.
3. Repeal Ordinance No. 6174 which appended a Planned Residential Overlay to property legally described as being Lots 8 through 13 Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with the South 8 feet of the vacated 10th Avenue adjacent.

City Planning Commission Public Hearing

The following spoke in favor of the request:

Todd Moeller, Alley Poyner Macchietto Architecture, 322 South 50th Street, Omaha, NE 68132
Danna Kehm, 5108 Wagons Way, Council Bluffs, IA 51501
Aaron Wiese, Ollson Associates, 2111 South 67th Street, Suite 200, Omaha, NE 68106

No one spoke in opposition.

The City Planning Commission recommends approval of the following requests, based on reasons stated above:

1. Rezone property located at 1001 South 6th Street, legally described as Lots 8 through 13 Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with the South 8 feet of the vacated 10th Avenue adjacent, from R-4/High Density Residential District to C-3/ Commercial District and to adopt an associated development plan.
2. Rezone vacated 11th Avenue right-of-way located between Lot 8, Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent and Lot 13, Block 15, Riddles Subdivision and the West ½ of the adjacent north/south alley from I-2/Industrial District to C-3/Commercial District and adopt the associated development plan.
3. Repeal Ordinance No. 6174 which appended a Planned Residential Overlay to property legally described as being Lots 8 through 13 Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with the South 8 feet of the vacated 10th Avenue

adjacent.





Aye-8 Nay-0 Abstin- 0 Absent-3. Motion carried.

ATTACHMENTS:

Description	Type	Upload Date
Attachment A	Map	2/16/2018
Attachment B	Map	2/16/2018
Attachment C	Map	2/16/2018
Attachment D	Other	2/16/2018
6321	Ordinance	3/6/2018

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #ZC-18-002 LOCATION/ZONING MAP

Map Legend	
	Planned Residential Overlay
	Case #ZC-18-002 - Subject property
	Expanded rezoning area
	Parcels

0 50 100
1 Inch = 100 Feet

2016 Aerial Photograph



Note: Subject properties are highlighted in red.

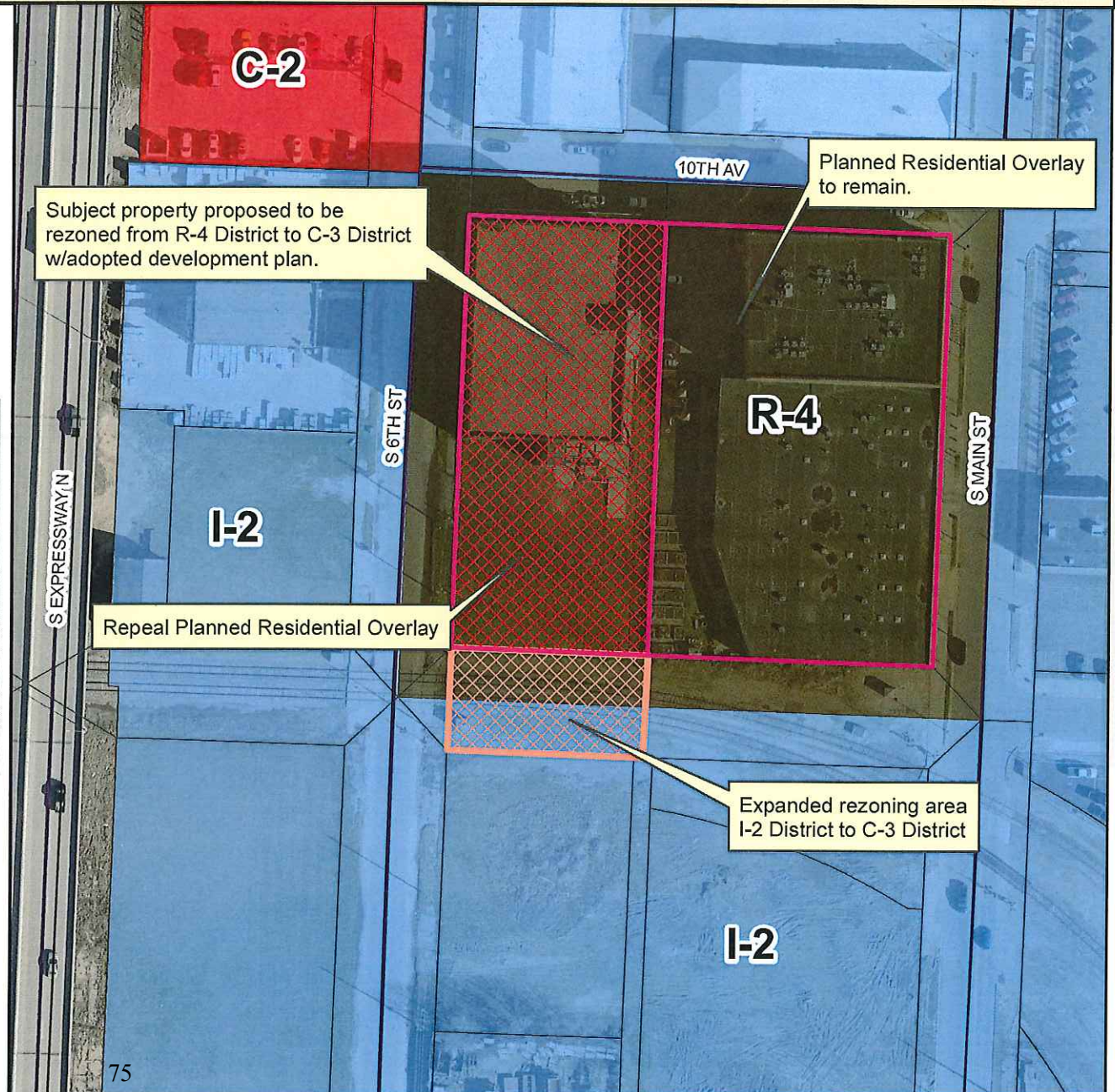


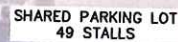
Last Amended: 1/22/18



Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629

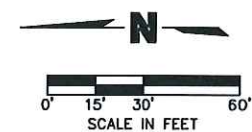
DISCLAIMER
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly disavows any and all responsibility for errors, if any, in the information contained on this map of the nature of the same by the user or supervisor. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.

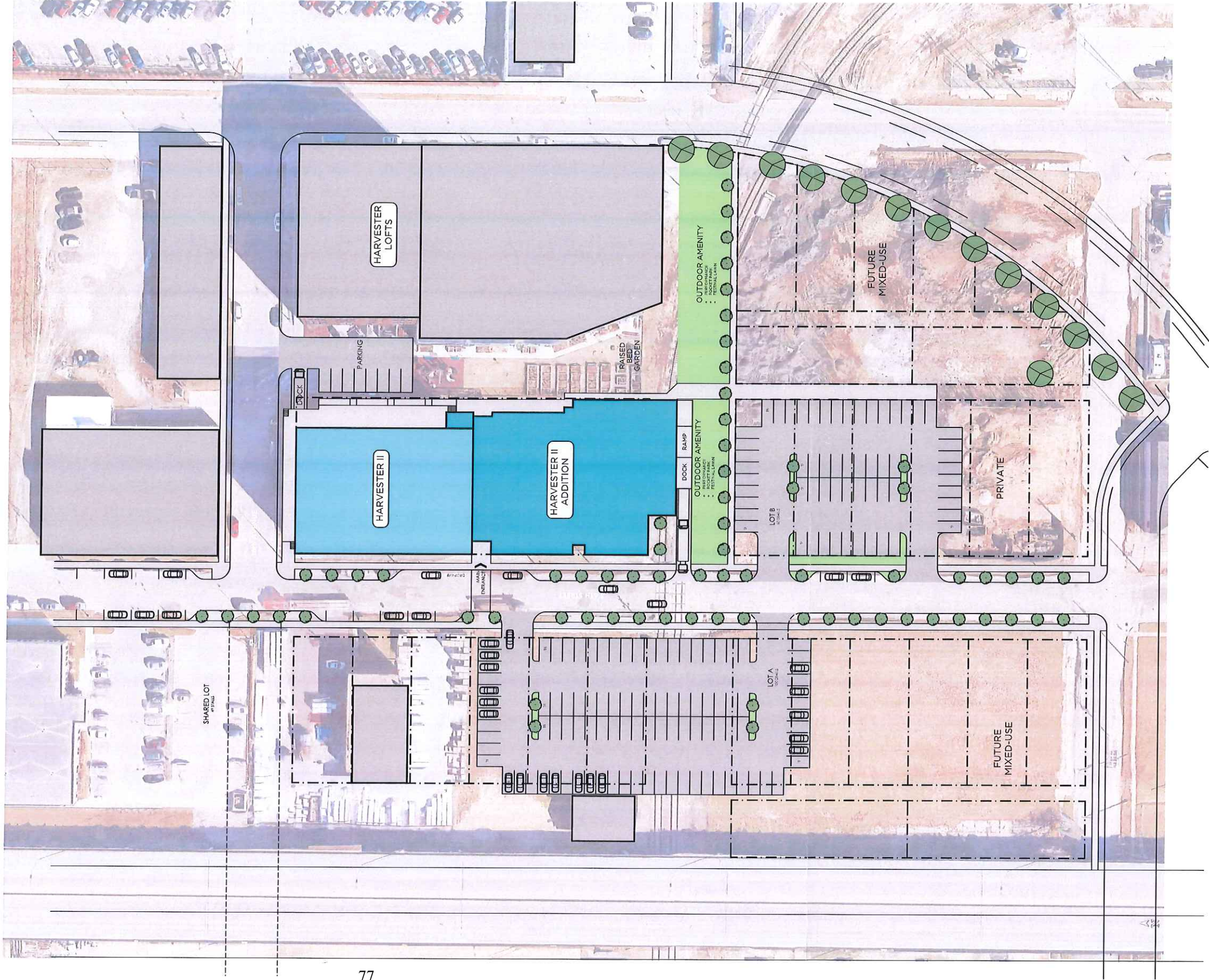




OFF-STREET PARKING TABLE	
TOTAL STALLS	152 STALLS
ADA STALLS	5 STALLS

SITE KEY NOTES	
①	SHADED AREA INDICATES EXTENTS OF HISTORIC BUILDING & LOADING DOCK
②	HATCHED AREA INDICATES EXTENTS OF ADDITION
③	PROPOSED SIDEWALK. REFERENCE PLAN FOR WIDTH
④	CURB AND GUTTER
⑤	CONCRETE LOADING DOCK STAIR
⑥	TRASH ENCLOSURE
⑦	TRANSFORMER PAD
⑧	LOADING DOCK AND RAMP AT ADDITION
XX	PARKING COUNT





SITE STATISTICS:	
ZONING	R4 (Downtown Service District with P-R (Planned Residential Overlay))
SITE DEVELOPMENT REGULATIONS:	
Front yard	20'
Street side yard	15'
Interior side yard	5' with 1' indentation for every story above 1st floor
Rear yard	20'
Height	100'
Lot coverage:	60% permitted

PROJECT STATISTICS:..		
	RENOVATION	NEW CONSTRUCTION
Lower Level	12,132 N.S.F.	N/A
1st Floor	11,978 N.S.F.	17,069 G.S.F.
2nd Floor	11,978 N.S.F.	7,104 G.S.F.
3rd Floor	11,978 N.S.F.	N/A
4th Floor	11,978 N.S.F.	N/A
TOTAL	-60,044 N.S.F.	24,173 G.S.F.

PARKING STATISTICS:	
PROVIDED:	
LOT A	100
LOT B	60
SHARED	54
Total	214 stalls
REQUIRED:	
IF FULL	484
PERFORMANCE	
STAGE	16
HOUSE	60
PERFORMERS	25
OFFICE	1
TOTAL	102
BALLET REHEARSAL	26
THEATER REHEARSAL	25
KITCHEN COUNCIL	30
PRE/POST FUNCTION	74
VENUE	40

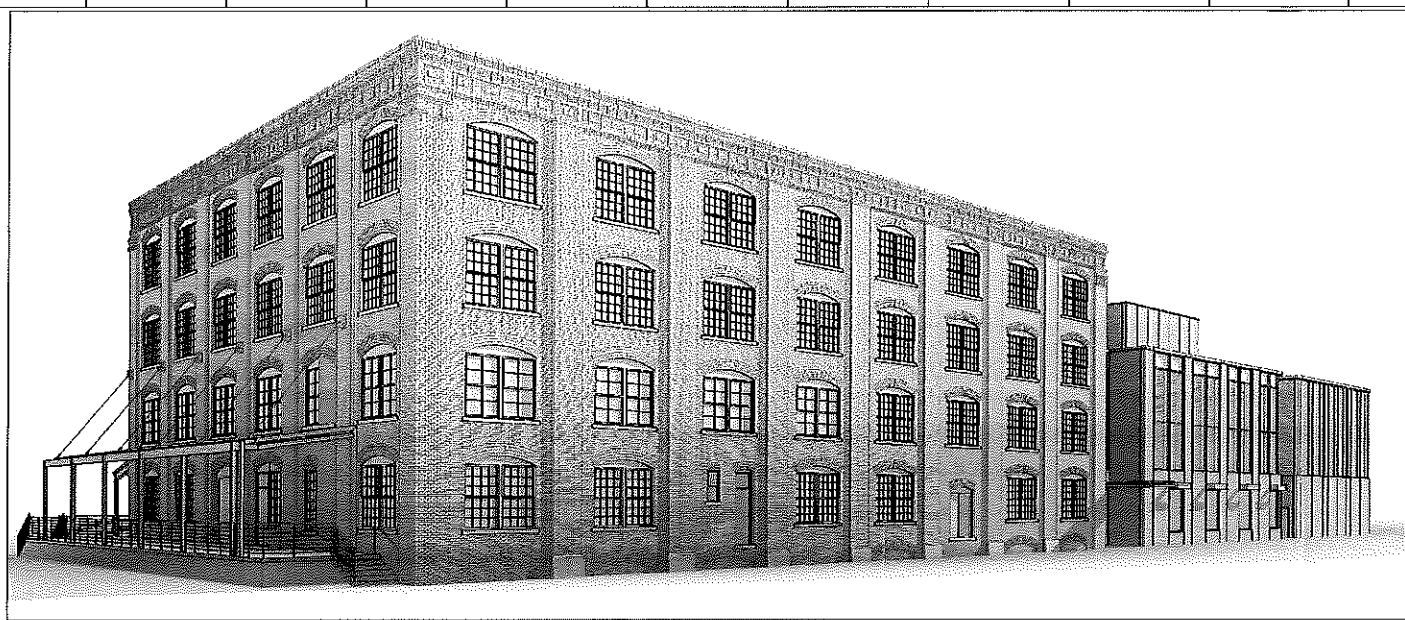
BUILDING USE SCENARIOS:	
DAY TO DAY:	
KITCHEN COUNCIL	30
CLASSROOMS	49
CAFE	11
OFFICE	16
TOTAL	106
EVENING 1:	
KITCHEN COUNCIL	30
VENUE	40
REHEARSALS	50
CLASSROOMS	49
TOTAL	169
EVENING 2:	
KITCHEN COUNCIL	30
PERFORMANCE	102
CLASSROOMS	49
TOTAL	181

IOWA, WEST, PACE
COUNCIL BLUFFS, IOWA
SCHEMATIC DESIGN
07/25/2017

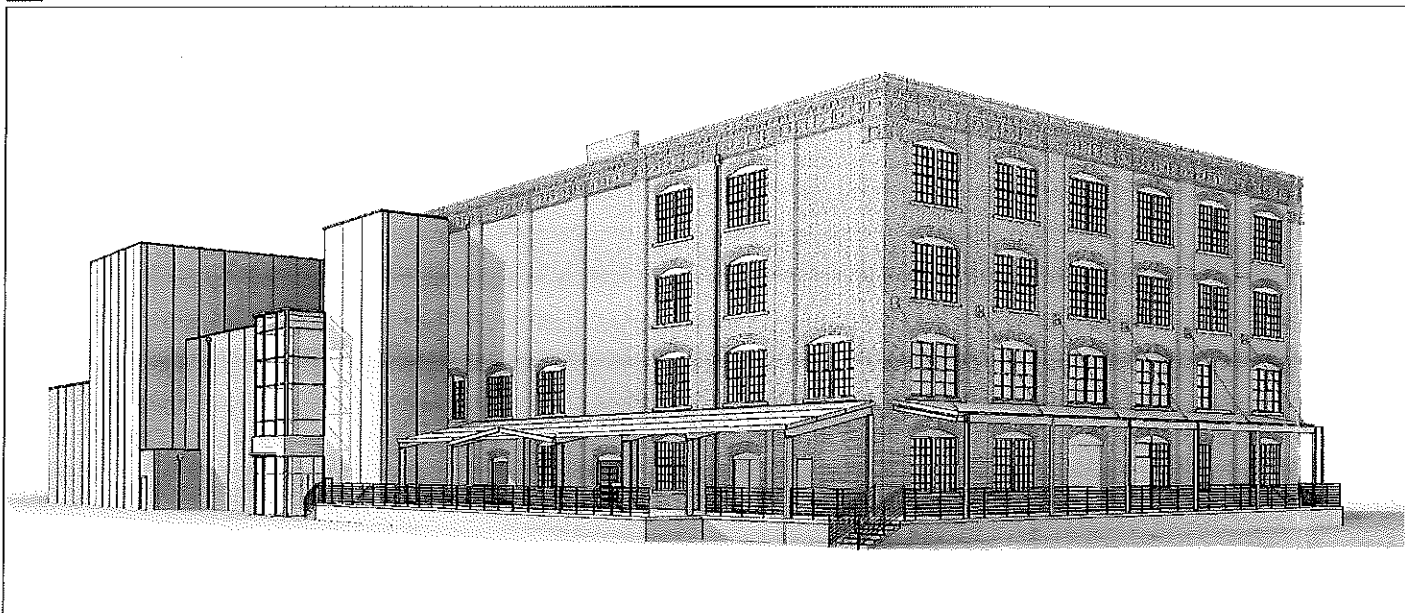
PROJECT # 15122

ALLEY-POYNER
MACCHIETTO
ARCHITECTURE

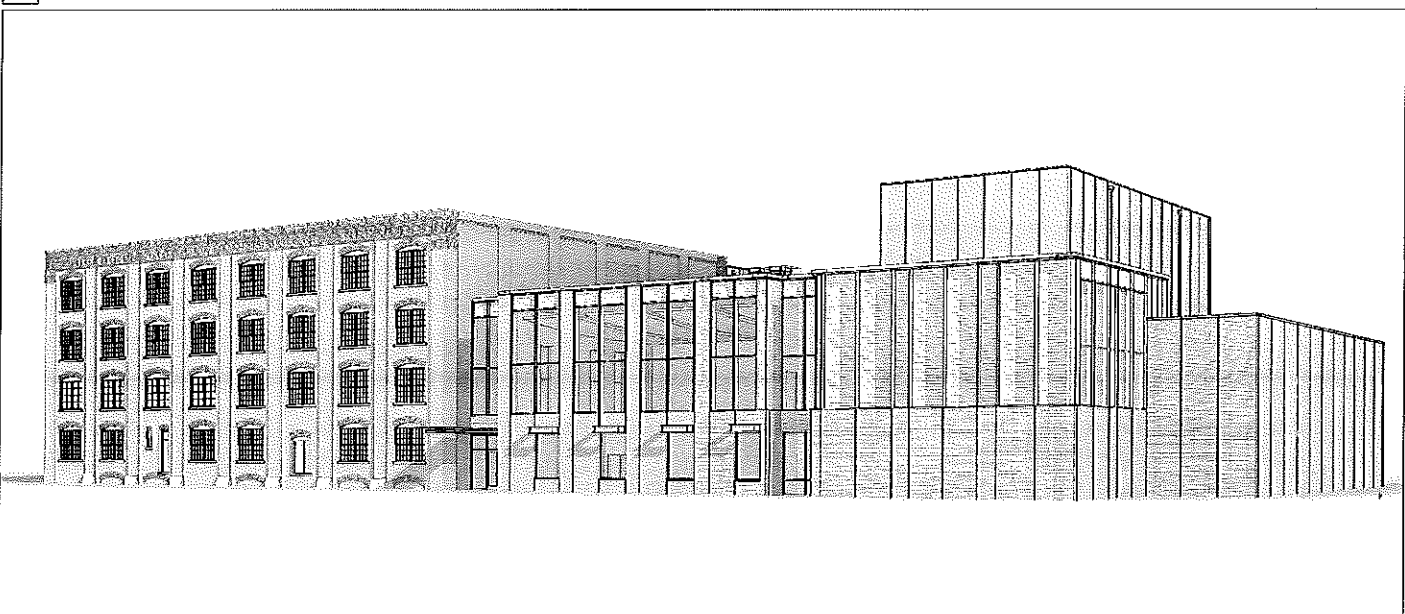




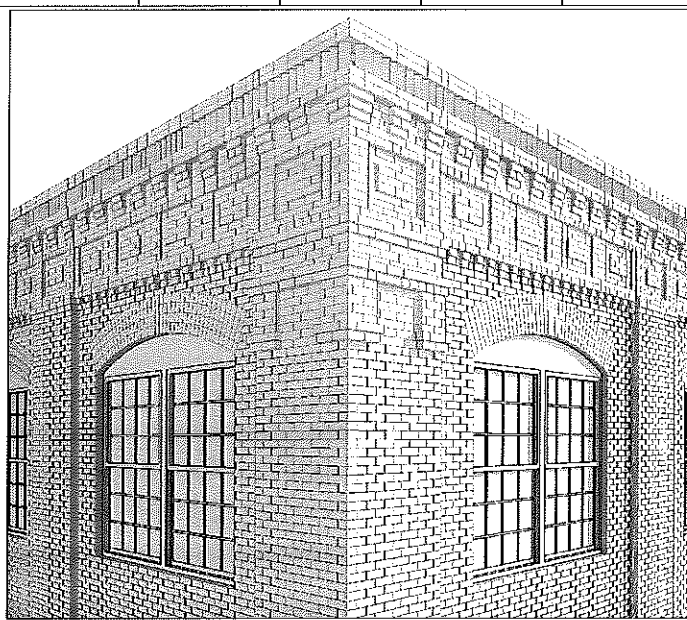
E1 NORTHWEST PERSPECTIVE
A2.1 SCALE: 1" = 80'-0"



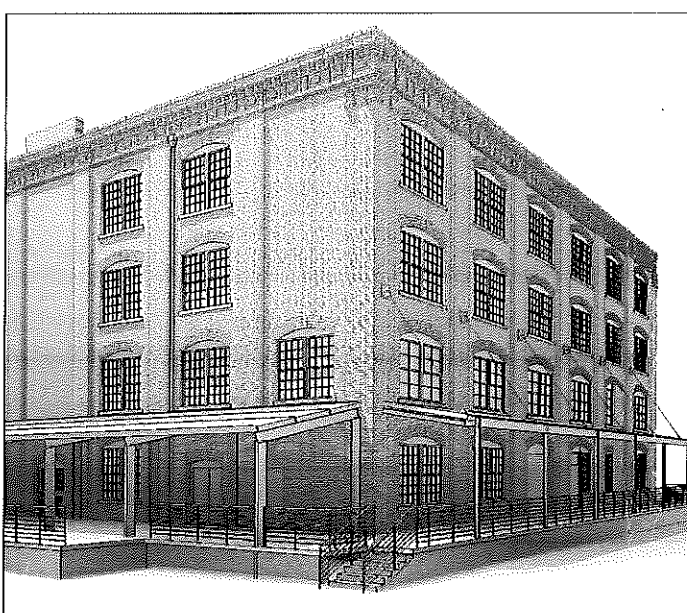
K1 NORTHEAST PERSPECTIVE
A2.1 SCALE: 1" = 80'-0"



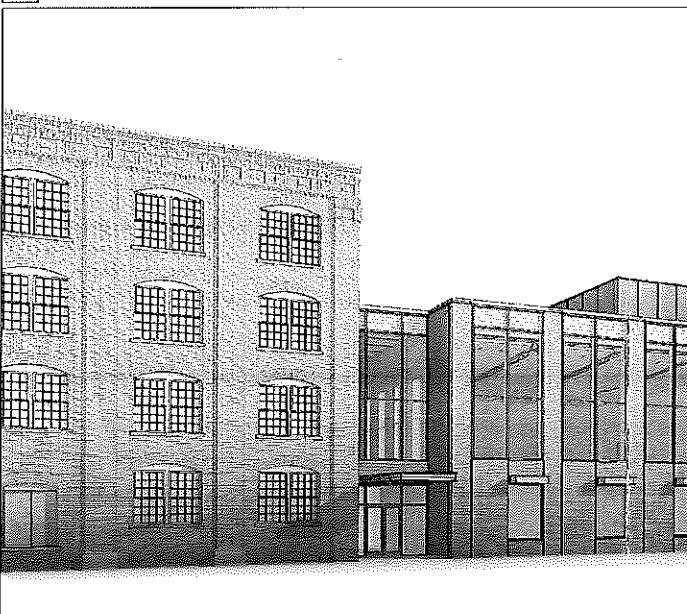
P1 SOUTHWEST PERSPECTIVE
A2.1 SCALE: 1" = 80'-0"



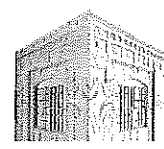
E12 NORTHEAST PERSPECTIVE
A2.1 SCALE: 1" = 80'-0"



K12 NORTHEAST PERSPECTIVE
A2.1 SCALE: 1" = 80'-0"



P12 NORTHEAST PERSPECTIVE
A2.1 SCALE: 1" = 80'-0"



PAGE
Council Bluffs, Iowa

ALLEY-POYNER
MACCHIETTO
ARCHITECTURE

NOT FOR
CONSTRUCTION

3 NOVEMBER 2017

HISTORIC SUBMITTAL

REVISION DATE
PROJECT NUMBER: 15122
DATE: 30 NOVEMBER 2017
COPYRIGHT © 2017
ALLEY-POYNER MACCHIETTO ARCHITECTURE

EXTERIOR PERSPECTIVES

A2.1

Attachment C

1/16/2018 8:46:43 AM



PACE
Council Bluffs, Iowa

ALLEY-POYNER
MACCHIETTO
ARCHITECTURE

NOT FOR
CONSTRUCTION

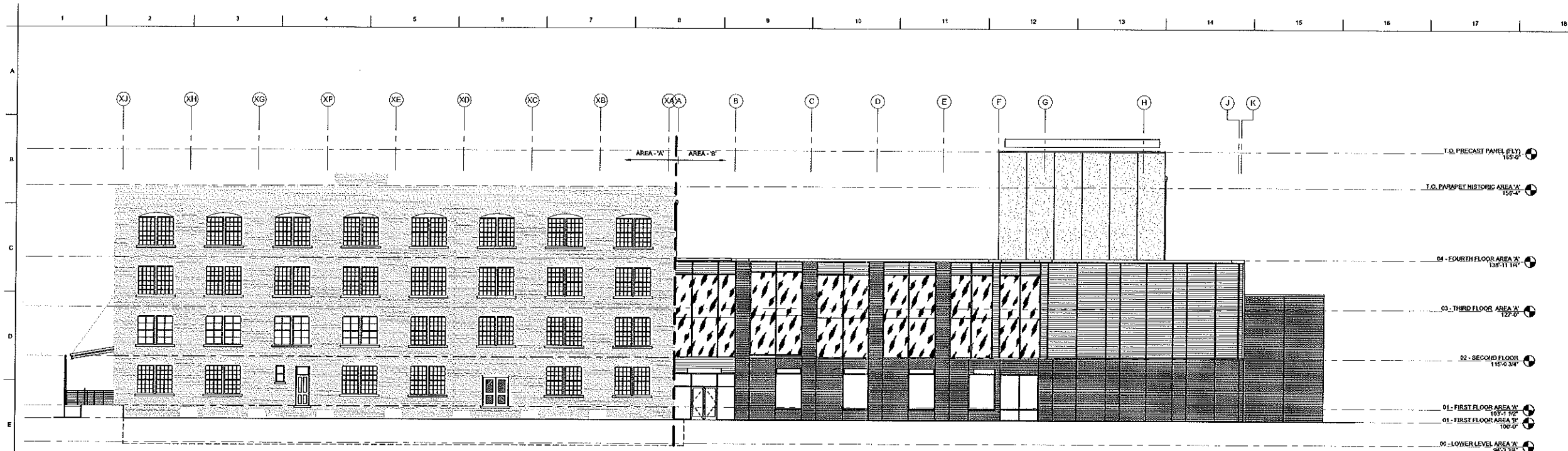
30 NOVEMBER 2017

HISTORIC SUBMITTAL

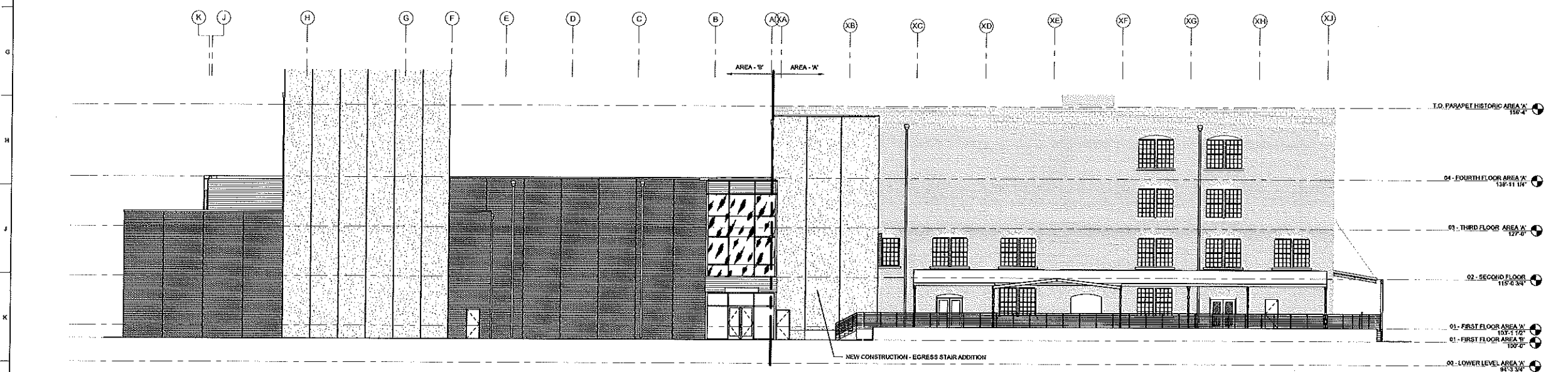
REVISION DATE
PROJECT NUMBER: 15122
DATE: 30 NOVEMBER 2017
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ALLEY-POYNER MACCHIETTO ARCHITECTURE

EXTERIOR ELEVATIONS OVERALL

A2.2

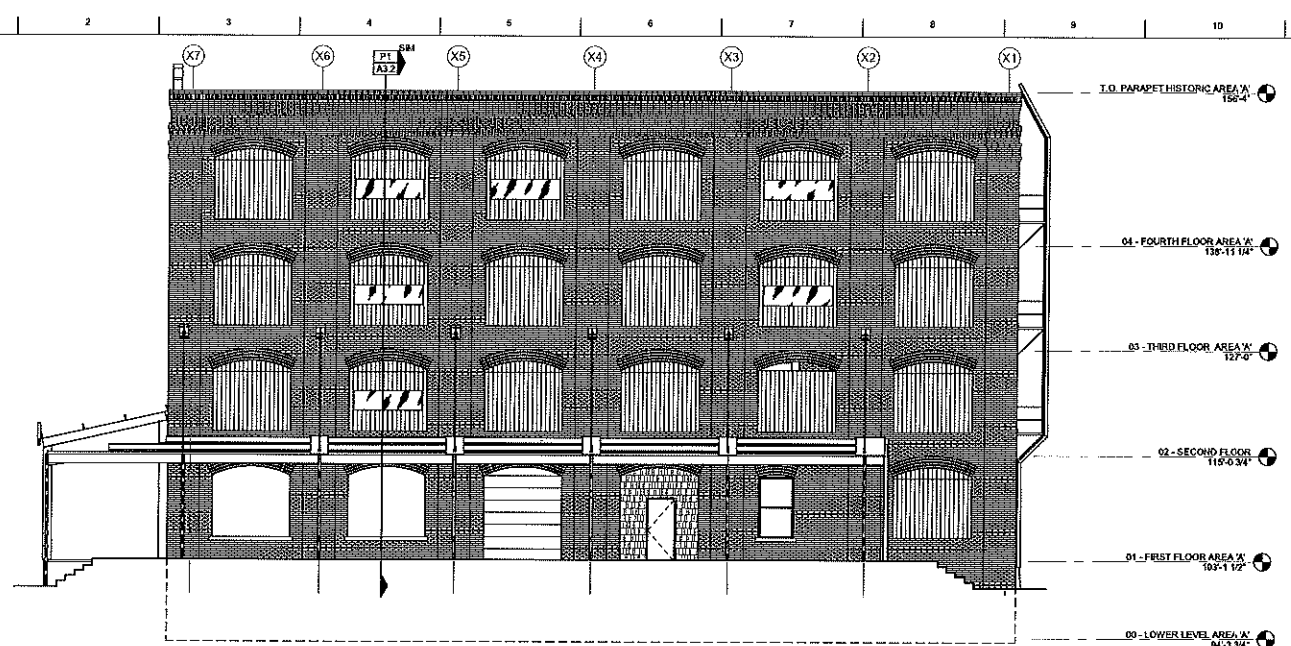


F1 WEST ELEVATION OVERALL
A2.2 SCALE: 3/32" = 1'-0"

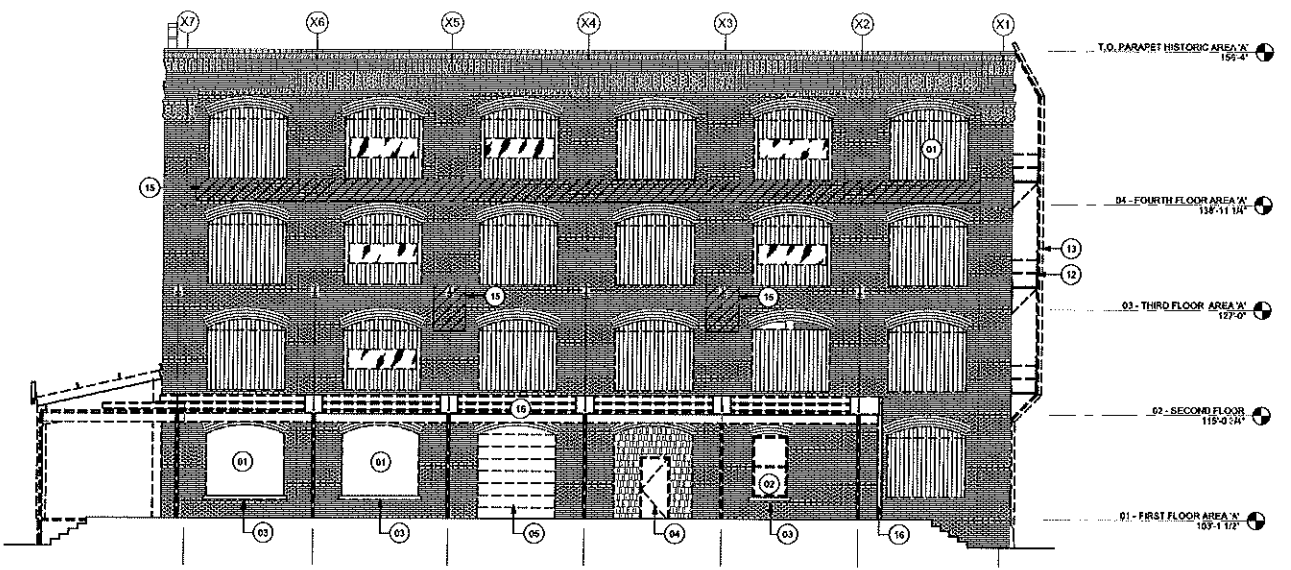


L2 EAST ELEVATION - OVERALL
A2.2 SCALE: 3/32" = 1'-0"

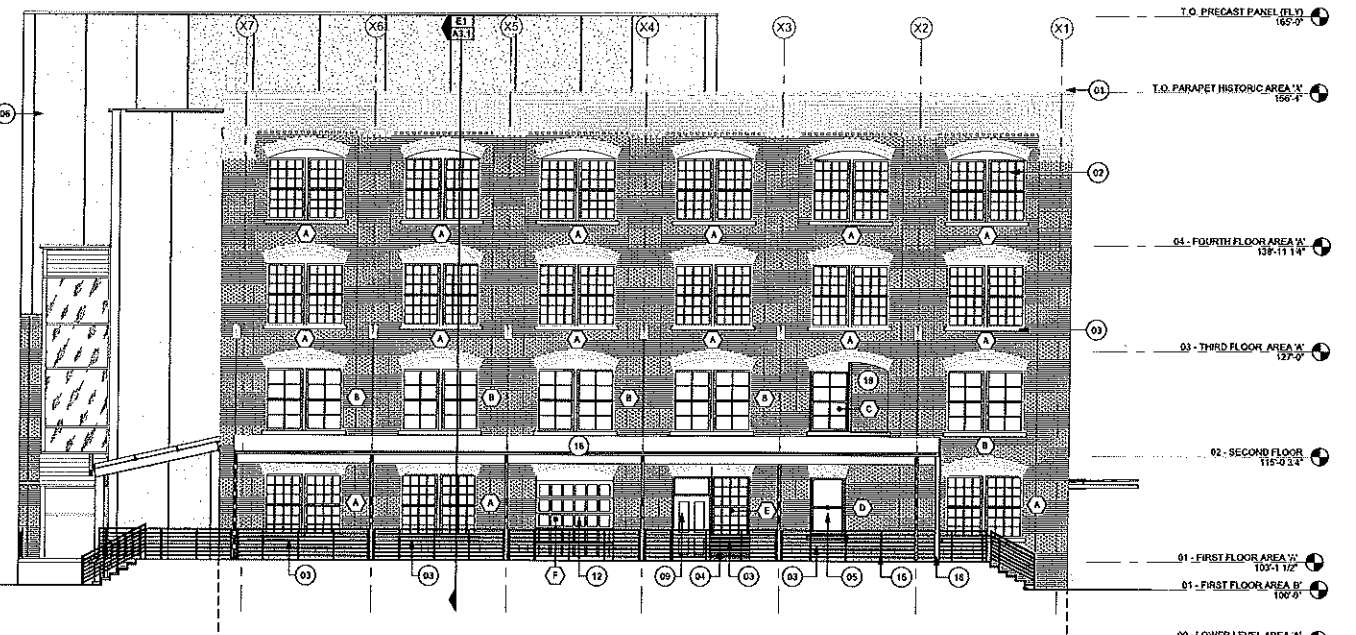
1/6/2018 8:46:53 AM



E1 NORTH ELEVATION EXISTING CONDITIONS - AREA A
A2.3 SCALE: 1/8" = 1'-0"



J1 NORTH ELEVATION DEMO - AREA A
A2.3 SCALE: 1/8" = 1'-0"



P1 NORTH ELEVATION - AREA A
A2.3 SCALE: 1/8" = 1'-0"



E11 PHOTO EXISTING - NORTH
A2.3 SCALE: 1/8" = 1'-0"

KEYED NOTES - ELEVATION DEMO

- CAREFULLY REMOVE EXISTING PLYWOOD COVER & FRAMING INFILL. NOTIFY ARCHITECT IF ANY HISTORIC WINDOW COMPONENTS REMAIN BENEATH THE PLYWOOD SHEATHING, TYP. UNLESS DETERMINED OTHERWISE BY ARCHITECT, REMOVE.
- REMOVE DETERIORATED WINDOW / INFILL AND ALL ASSOCIATED COMPONENTS.
- REMOVE DETERIORATED STONE SILL.
- REMOVE DOOR AND ASSOCIATED INFILL FRAMING.
- REMOVE INFILL DOOR AND ASSOCIATED HARDWARE, SALVAGE HARDWARE IF EXISTANT. CORNER GUARDS TO REMAIN IN PLACE. REMOVE SURFACE PAINT AND RUST WITH WIRE BRUSH AS REQ'D TO PREPARE FOR NEW PAINT. REPAIR MASONRY AS REQ'D.
- REMOVE PLYWOOD WALL AND FRAMING INFILL.
- REMOVE MASONRY BRICK INFILL TO RESTORE ORIGINAL WINDOW OPENINGS.
- REMOVE MASONRY INFILL, FRAMING INFILL AND ASSOCIATED NON-HISTORIC WINDOW WITH SH OPENING, TYP.
- REMOVE EXISTING MASONRY WALL FOR NEW DOOR - SEE DOOR SCHEDULE FOR EXTENTS OF OPENING. SALVAGE ALL GOOD BRICK. TOOTH IN BRICK JAMB WITH SALVAGED BRICK AT OPENING.
- REMOVE CONDUCTOR HEAD AND DOWNSPOUT, TAKING CARE NOT TO DAMAGE EXISTING MASONRY.
- CAREFULLY REMOVE EXISTING PLYWOOD COVER & FRAMING INFILL. NOTIFY ARCHITECT IF ANY HISTORIC DOOR & HARDWARE COMPONENTS REMAIN BENEATH THE PLYWOOD SHEATHING, TYP. UNLESS DETERMINED OTHERWISE BY ARCHITECT, REMOVE & SALVAGE.
- REMOVE METAL ROOF ACCESS LANDINGS AND LADDERS IN ITS ENTIRETY, TAKING CARE TO PROTECT & MAINTAIN EXISTING MASONRY.

KEYED NOTES - ELEVATION DEMO

- CONTRACTOR TO COORDINATE REMOVAL OF EXISTING PIPING WITH MECHANICAL ENGINEER.
- REMOVE ELEVATOR ADDITION, FOOTINGS, ELEVATOR, ALL ASSOCIATED DOORS AND HARDWARE IN ITS ENTIRETY. COORDINATE REMOVAL OF EXISTING ELEVATOR ENTRANCES AT EXISTING EXTERIOR MASONRY WALL WITH PLANS AND STRUCTURAL ENGINEER.
- EXISTING PAINTED SIGNAGE TO REMAIN. CONTRACTOR TO PROTECT ALL EXTERIOR PAINTED SIGNAGE DURING CONSTRUCTION PROCESS.
- EXISTING STEEL FRAMED STRUCTURE TO BE REMOVED AND REINSTALLED - SEE ARCHITECTURAL AND STRUCTURAL FOR NEW HEIGHT AND EXTENTS OF CANOPY. REINSTALLED STEEL FRAMING TO BE PAINTED AND MAINTAIN AESTHETICS OF CURRENTLY IN PLACE FRAMING.
- REMOVE STEEL FRAMING - SEE PLANS FOR EXTENTS OF DEMO AND EXTENTS OF STEEL TO BE REINSTALLED.
- REMOVE NON-HISTORIC FIRE ESCAPE DOOR & ASSOCIATED INFILL TAKING CARE NOT TO DAMAGE MASONRY OF EXISTING WINDOW OPENING.
- REMOVE MASONRY WALL FOR NEW OPENINGS CONNECTING HISTORICAL BUILDING AREA 'A' AND ADDITION AREA 'B' COORDINATE OPENINGS WITH ARCHITECTURAL AND STRUCTURAL SALVAGE ALL BRICK FOR USE AT INFILL LOCATIONS.

GENERAL NOTES - DEMO ELEVATION

- DEMOLITION PLAN NOTES APPLY TO ALL DEMOLITION PLAN SHEETS.
- ITEMS TO BE DEMOLISHED ARE SHOWN GRAPHICALLY WITH BOLD DASHED LINES.
- THE INTENT OF THESE DEMOLITION DRAWINGS IS TO DEFINE A GENERAL SCOPE OF DEMOLITION WORK. THESE DRAWINGS MAY NOT IDENTIFY EVERY MATERIAL ITEM TO BE REMOVED. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING ALL ITEMS MUST BE REMOVED TO FACILITATE NEW CONSTRUCTION & COORDINATE WITH ARCHITECT.
- COORDINATE ALL DEMOLITION EFFORTS WITH ARCHITECT, ENGINEER & OWNER'S REPRESENTATIVE.
- ALL WIRING, ELECTRICAL CONDUIT, PLUMBING & MISCELLANEOUS METAL ATTACHMENTS NO LONGER IN USE ARE TO BE REMOVED FROM THE BUILDING.
- VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND ELEVATIONS AND NOTIFY THE ARCHITECT-ENGINEER OF ANY DISCREPANCIES.
- REFER TO KEYED NOTES FOR SPECIFIC ITEMS TO BE REMOVED. REMOVE IN THEIR ENTIRETY ALL EXISTING WALLS, DOORS, MILLWORK, PLUMBING FIXTURES ETC. AS REQUIRED TO EXECUTE THE DEMOLITION/ CONSTRUCTION WORK DESCRIBED BY THE ARCHITECT-ENGINEER.
- REMOVE ALL DEMOLITION MATERIALS FROM THE SITE UNLESS NOTED OTHERWISE. THE OWNER SHALL RESERVE THE RIGHT TO SALVAGE ANY MATERIALS.
- PROVIDE PROTECTION FOR ALL EXISTING BUILDING MATERIALS AND EQUIPMENT FROM DAMAGE DUE TO ANY DEMOLITION OR CONSTRUCTION-RELATED INCIDENT PERFORMED UNDER THIS CONTRACT.
- REPAIR OR REPLACE ANY WALLS, FLOORS, OR EQUIPMENT DAMAGED AS A RESULT OF DEMOLITION OR CONSTRUCTION TO MATCH EXISTING FRESH AND/OR CONDITION.
- THE CONTRACTOR SHALL COORDINATE WITH THE ARCHITECT-ENGINEER ANY MATERIALS TO BE REUSED AND WILL BE RESPONSIBLE FOR VERIFYING AND MAINTAINING THE FUNCTIONAL AND AESTHETIC INTEGRITY OF THE MATERIALS.
- VERIFY AND MAINTAIN THE LOCATION OF EXISTING POWER, SO AS NOT TO INADVERTENTLY INTERRUPT THE CONTINUITY OF THEIR SERVICE.
- THE CONTRACTOR SHALL SHORE AS REQUIRED ANY AREAS AFFECTED OR COMPROMISED BY DEMOLITION ACTIVITIES.
- DEMOLITION CONTRACTOR SHALL COORDINATE WITH STRUCTURAL ENGINEER PRIOR TO DEMOLITION OF ANY STRUCTURAL COMPONENTS.

KEYED NOTES - ELEVATION

- TERRA-COTTA PARAPET COPING TO REMAIN. ALL JOISTS TO BE REPORTED, NOTIFY ARCHITECT OF ANY BROKEN OR CRACKED COPING.
- NEW ALUMINUM FRAME WINDOW WITH INSULATED GLAZING TO BE INSTALLED IN HISTORIC MASONRY OPENINGS, TYP. NEW WINDOW COMPOSITION TO MATCH HISTORIC WINDOW COMPOSITION AS INDICATED.
- NEW PRECAST SILL, TYP. TO MATCH EXISTING IN DIMENSION, COLOR & TEXTURE FOR BIDDING PURPOSES. ONCE WINDOW INFILL REMOVED, ARCHITECT TO PERFORM CONDITION ASSESSMENT TO DETERMINE IF ANY EXISTING STONE SILLS CAN BE REPAIRED.
- BRICK INFILL TO MATCH EXISTING. VERIFY EXTENTS WITH INTERIOR CONDITIONS.
- NEW WOOD WINDOW - ONE OVER ONE SINGLE HUNG.
- NEW CONSTRUCTION BEYOND.
- NEW FIXED IN PLACE WOOD DOOR TO MATCH HISTORIC IN COMPOSITION, PAINTED WITH HIGH PERFORMANCE COATINGS, SEE SPEC.
- NEW SCUPPER AND DOWNSPOUT. PEOPLE, MATERIAL AND FINISH TO MATCH HISTORIC CONDITIONS.
- NEW ALUMINUM FRAME AND ALUMINUM DOOR WITH INSULATED GLAZING. STYLE AND RAIL TO MATCH HISTORIC WOOD DOOR COMPOSITION.
- AT LOCATIONS OF REMOVED STONE SILL, TOOTH IN NEW BRICK AS REQUIRED FOR NEW SILL.
- TEMP.
- NEW OVERHEAD ALUMINUM FRAME ALUMINUM DOOR WITH INSULATED GLAZING TO MATCH COMPOSITION OF HISTORIC OVERHEAD WOOD DOOR.
- PAINT CHJ TO MATCH ADJACENT BRICK.
- REINSTALL ORIGINAL STEEL FRAMING. SEE ARCHITECTURAL AND STRUCTURAL FOR HEIGHTS AND EXTENTS OF CANOPY.
- METAL GUARDRAIL - PAINTED WITH HIGH PERFORMANCE COATINGS.
- ORIGINAL STEEL FRAMED STRUCTURE REINSTALLED WITH NEW ROOF. ORIGINAL STEEL TO BE CLEANED AND PAINTED WITH HIGH PERFORMANCE COATING.

KEYED NOTES - ELEVATION

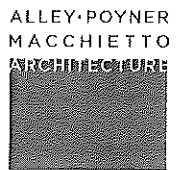
- EXISTING STEEL FRAMED STRUCTURE TO REMAIN WITH NEW ROOF INSTALLED. EXISTING STEEL TO BE CLEANED AND PAINTED WITH HIGH PERFORMANCE COATING.
- IF EXISTING MASONRY REMAINS IN PLACE BENEATH MASONRY INFILL, REPAIR & REPORT AS REQ'D. IF MASONRY IS NO LONGER EXISTANT PROVIDE BRICK INFILL TO MATCH EXISTING MASONRY REMAINS IN PLACE BENEATH MASONRY INFILL, REPAIR & REPORT AS REQ'D. IF MASONRY IS NO LONGER EXISTANT PROVIDE BRICK INFILL TO MATCH EXISTING.
- PLACE HOLDER.
- PLACE HOLDER.
- PLACE HOLDER.
- INSULATED PRECAST PANEL WITH INTEGRAL THIN BRICK.
- INSULATED PRECAST PANEL WITH INTEGRAL COLOR.
- ALUMINUM CURTAIN WALL SYSTEM WITH INSULATED GLAZING.
- ALUMINUM STOREFRONT SYSTEM WITH INSULATED GLAZING.
- ALUMINUM BREAK METAL CAP, FINISH TO MATCH ALUM. CURTAIN WALL.
- PREFINISHED METAL CAP FLASHING.
- PREFINISHED SCUPPER AND DOWNSPOUT.
- METAL COMPOSITE WALL PANEL SYSTEM.
- METAL COMPOSITE WALL PANEL SYSTEM INFILL AT CURTAIN WALL.
- ALUMINUM FACE CAP TO MATCH ALUMINUM CURTAIN WALL - BY C.W. MFR SEE PLANS FOR EXTENTS.
- STEEL ENTRY CANOPY - PAINTED WITH HIGH PERFORMANCE COATING.
- STEEL SHADE CANOPY - PAINTED WITH HIGH PERFORMANCE COATING.

GENERAL NOTES - ELEVATION

- THIS IS A HISTORIC TAX CREDIT PROJECT. AS SUCH, ALL WORK NEEDS TO BE DONE IN LINE WITH STANDARDS SET FORTH BY THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR.
- CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, BUILDING ELEMENTS & PROPOSED WORK WITH EXISTING CONDITIONS, NOTIFY ARCHITECT SHOULD ANY DISCREPANCIES ARISE.
- THE MASONRY AT THIS BUILDING TO BE PREPARED AS OUTLINED IN THE PROJECT SPECIFICATIONS. PRIORITIZE WORK AS FOLLOWS: 1) ENSURE WEATHERTIGHT CLAY COPING TILES; 2) REPAIR STRUCTURAL CRACKS; 3) REPAIR ANCHOR & CONDUIT REMOVAL; 4) REPORTING; 5) REPLACEMENT OF CRACKED & DAMAGED BRICK, INCLUDING THOSE WITH SPALLS GREATER THAN AN INCH IN DIAMETER OR DEEPER THAN 1/4" IN CLEANING.
- REPAIR/REPLACE MISSING OR BROKEN CRACKED BRICK MASONRY USING IN-KIND MATERIALS & METHODS. TOOTH IN BRICKS WHERE REQUIRED. THIS INCLUDES AREAS WHERE ELECTRICAL CONDUIT, PLUMBING & MISCELLANEOUS METAL ATTACHMENTS HAVE BEEN REMOVED.
- REPORT 75% OF ALL BRICK MASONRY MORTAR JOINTS. PROVIDE SPECIAL CARE AT BASE OF BUILDING. REPORT USING R-4000 MATERIALS & METHODS IN ACCORDANCE WITH NPS PRESERVATION BUREAU NO. 1 TO REMOVE SURFACE DIRT ONLY. SEE SPECIFICATIONS FOR WATER WASH PARAMETERS.
- ALL MASONRY TO BE CLEANED WITH A GENTLE WATER WASH, TAKING SPECIAL CARE TO PRESERVE EXISTING HISTORIC PAINTED SIGNAGE. ALL WORK TO BE COMPLETED IN ACCORDANCE WITH NPS PRESERVATION BUREAU NO. 1 TO REMOVE SURFACE DIRT ONLY. SEE SPECIFICATIONS FOR WATER WASH PARAMETERS.



PACE
Council Bluffs, Iowa



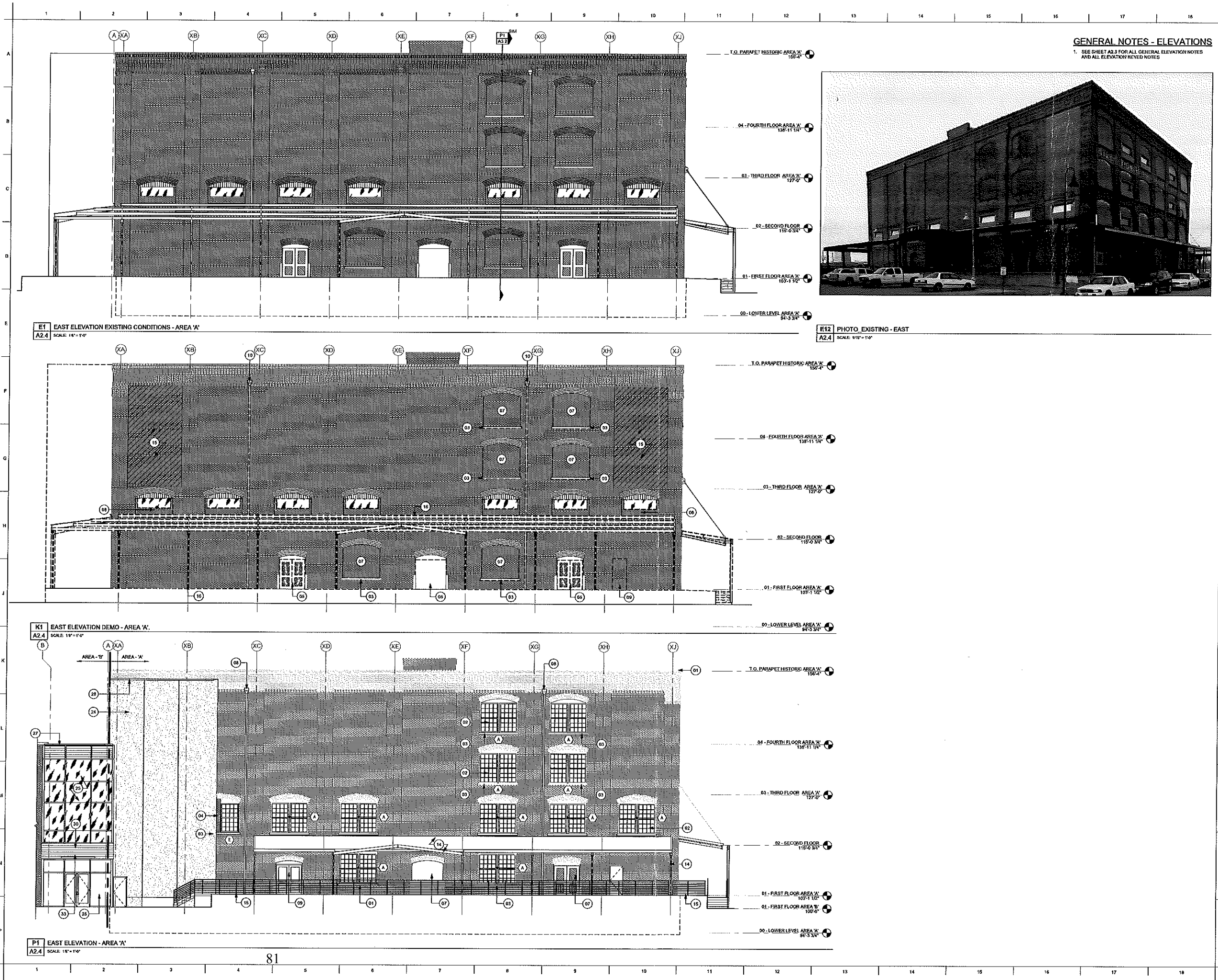
NOT FOR
CONSTRUCTION

HISTORIC SUBMITTAL

REVISION DATE
PROJECT NUMBER: 15122
DATE: 30 NOVEMBER 2017
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ALLEY POYNER MACCHIETTO ARCHITECTURE

EXTERIOR ELEVATIONS - NORTH

A2.3



PACE
Council Bluffs, Iowa

ALLEY-POYNER
MACCHIETTO
ARCHITECTURE

NOT FOR
CONSTRUCTION

3-10-2018-2017

HISTORIC SUBMITTAL

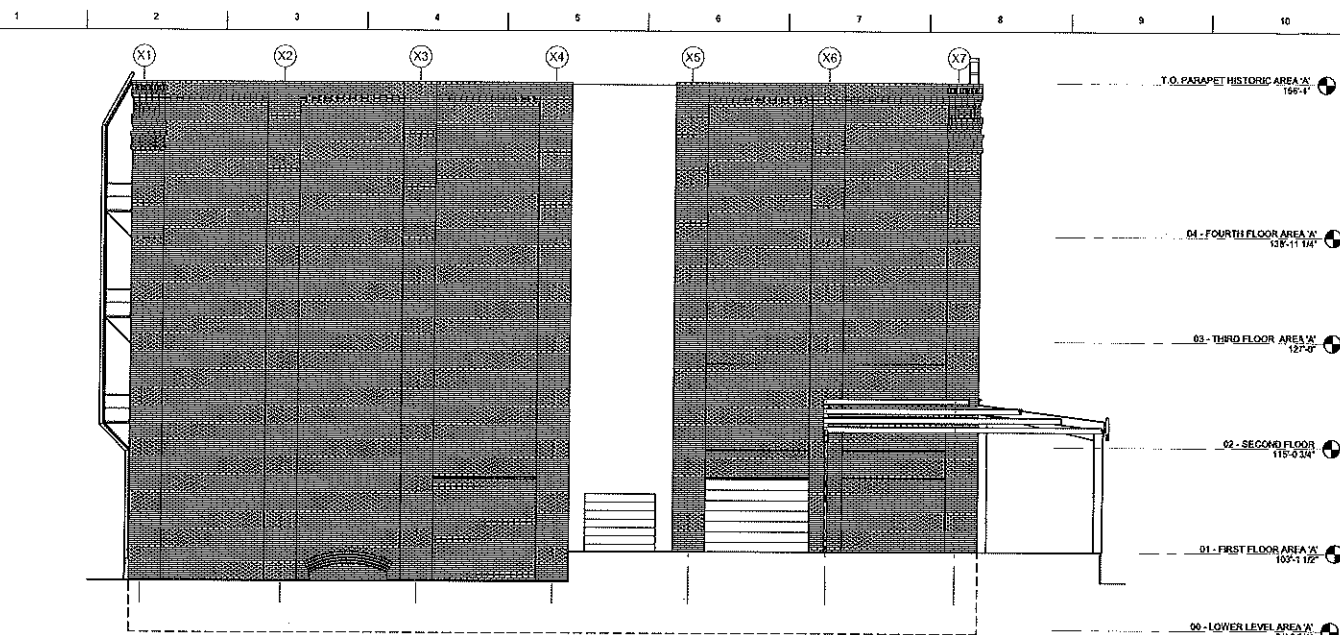
REVISION	DATE
PROJECT NUMBER: 15122	
DATE: 30 NOVEMBER 2017	
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ALLEY-POYNER MACCHIETTO ARCHITECTURE	

EXTERIOR ELEVATIONS - EAST

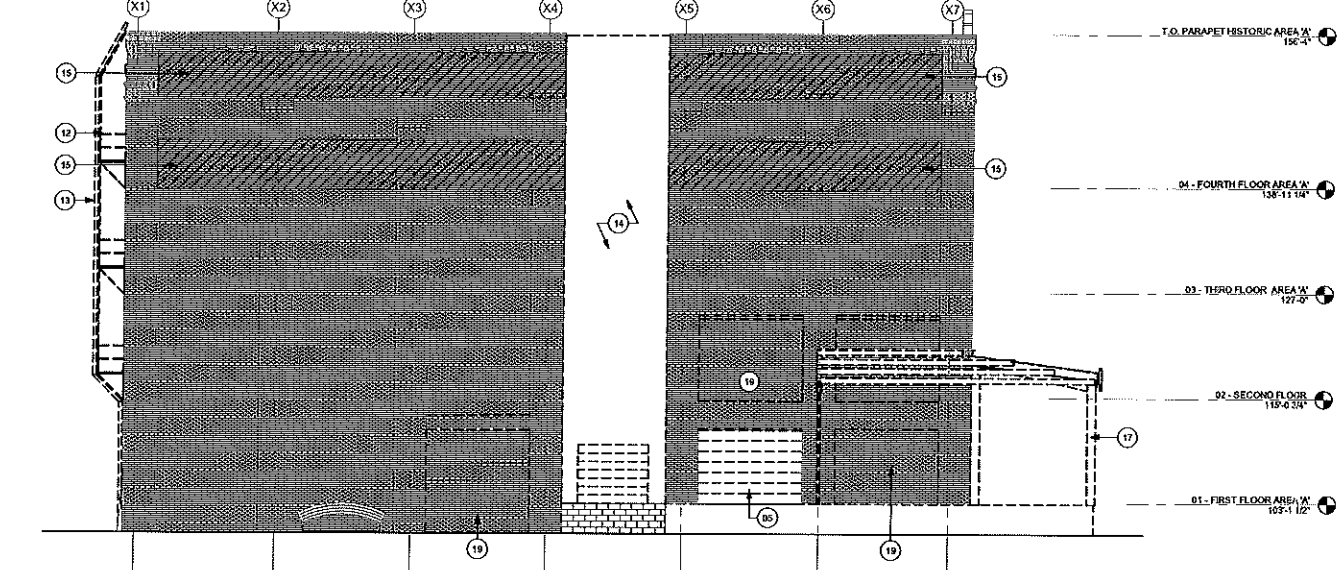
A2.4

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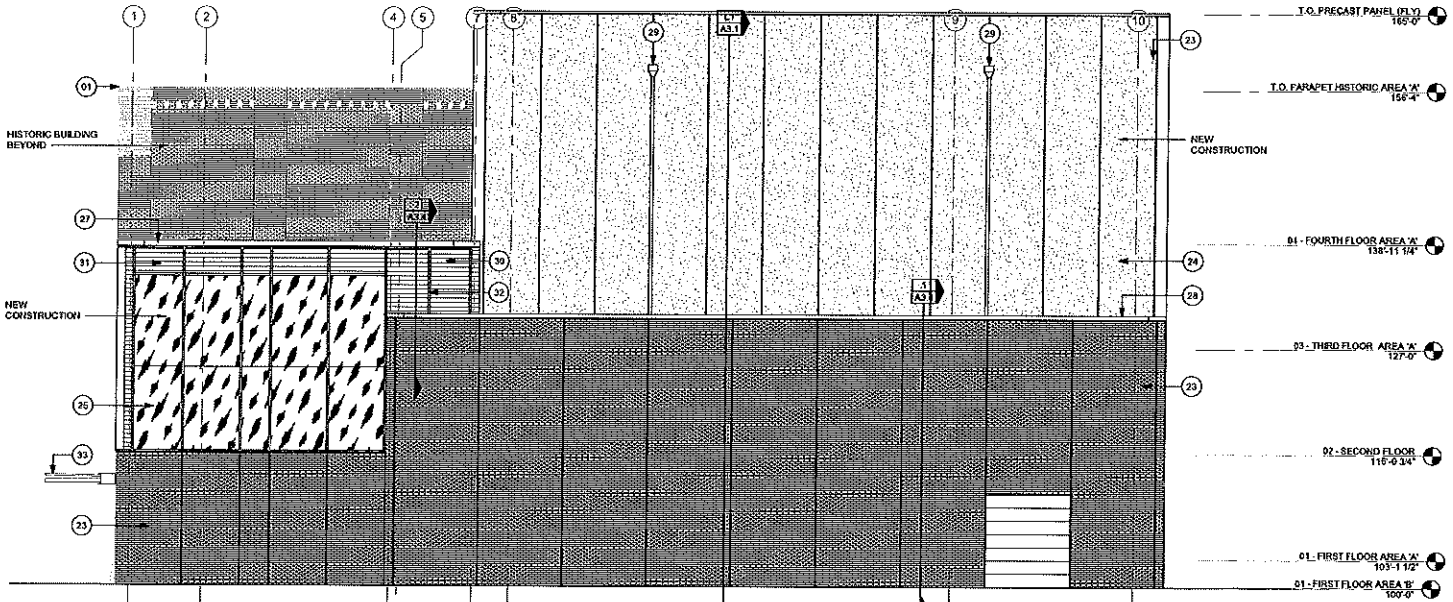
1/16/2018 8:46:58 AM



E1 SOUTH ELEVATION EXISTING CONDITIONS - AREA 'A'
A2.5 SCALE: 1/8" = 1'-0"

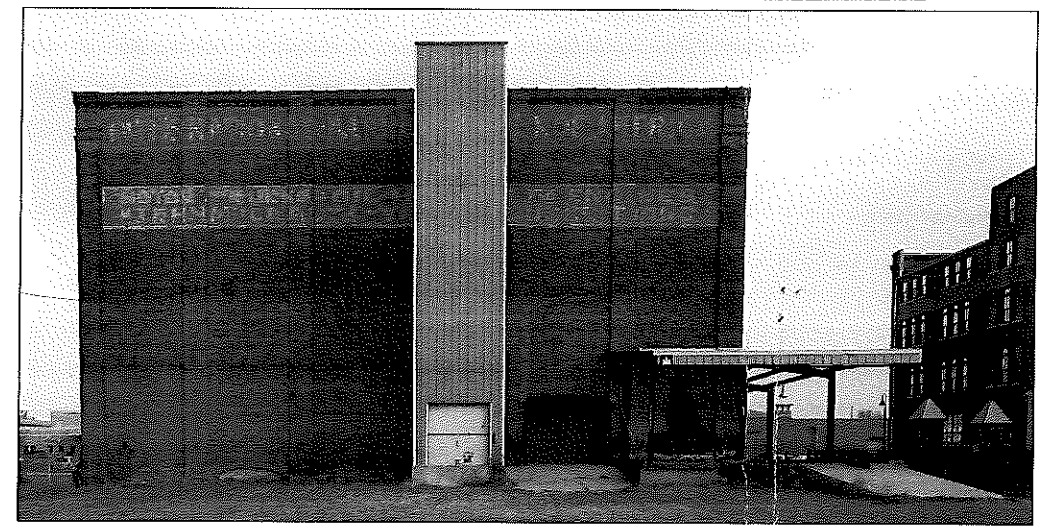


2 SOUTH ELEVATION DEMO - AREA 'A'
A2.5 SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION - AREA 'B'
A2.5 SCALE: 1/8" = 1'-0"

GENERAL NOTES - ELEVATIONS
1. SEE SHEET A2.3 FOR ALL GENERAL ELEVATION NOTES AND ALL ELEVATION KEYED NOTES



E11 PHOTO EXISTING - SOUTH
A2.5 SCALE: 1/8" = 1'-0"



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Council Bluffs, Iowa



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CONSTRUCTION
3/17/2017

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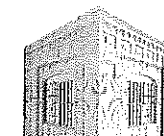
EXTERIOR ELEVATIONS - SOUTH

A2.5

Attachment C

GENERAL NOTES - ELEVATIONS

1. SEE SHEET A2.3 FOR ALL GENERAL ELEVATION NOTES AND ALL ELEVATION KEYED NOTES



PACE

Council Bluffs, Iowa

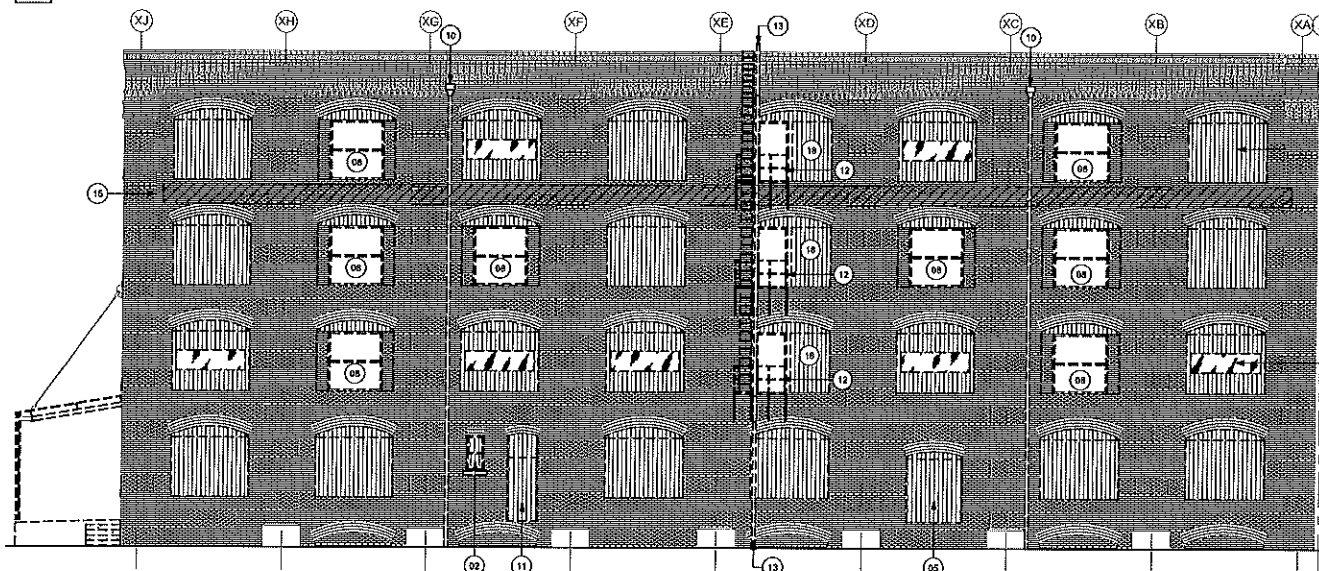


E12 PHOTO EXISTING - WEST

A2.6 SCALE: 1/8" = 1'-0"

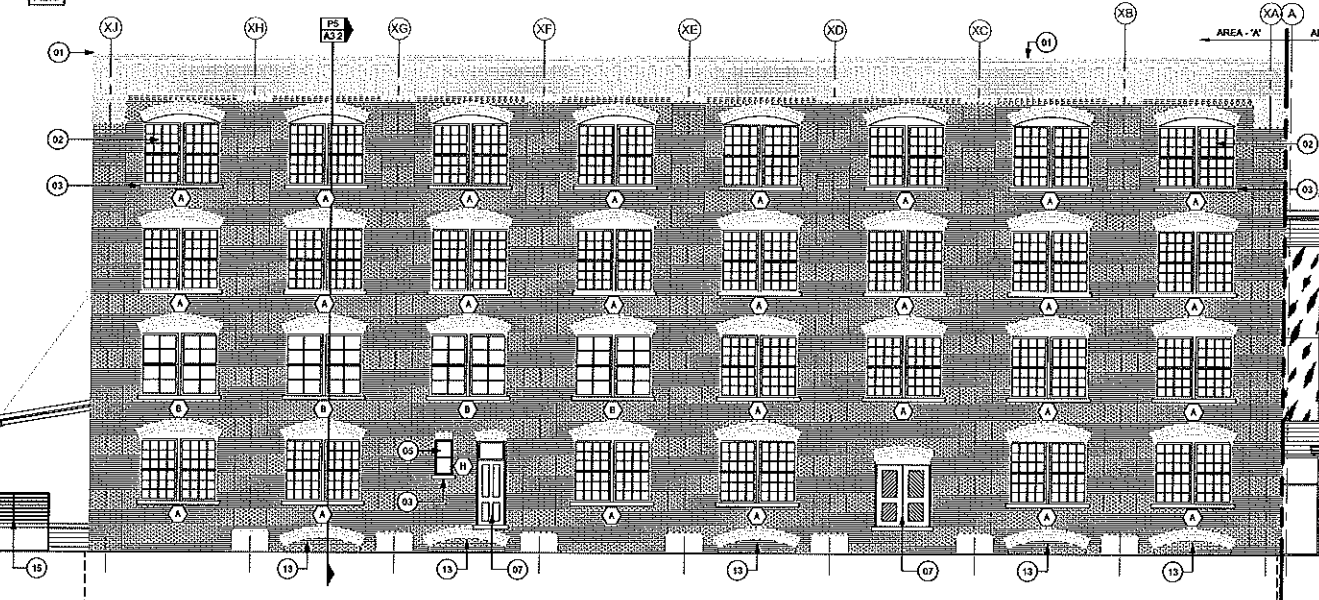
E1 WEST ELEVATION EXISTING CONDITIONS - AREA 'A'

A2.6 SCALE: 1/8" = 1'-0"



K2 WEST ELEVATION DEMO - AREA 'A'

A2.6 SCALE: 1/8" = 1'-0"



P1 WEST ELEVATION - AREA 'A'

A2.6 SCALE: 1/8" = 1'-0"

T.O. PARAPET HISTORIC AREA 'A' 156'-4"

04 - FOURTH FLOOR AREA 'A' 136'-11 1/4"

03 - THIRD FLOOR AREA 'A' 127'-0"

02 - SECOND FLOOR 115'-0 3/4"

01 - FIRST FLOOR AREA 'A' 103'-1 1/2"

01 - FIRST FLOOR AREA 'B' 100'-0"

00 - LOWER LEVEL AREA 'A' 94'-3 3/4"

ALLEY-POYNER
MACCHIETTO
ARCHITECTURE

NOT FOR
CONSTRUCTION

3/4/2018 BY N2 Z17

HISTORIC SUBMITTAL

REVISION DATE

PROJECT NUMBER: 15122

DATE: 30 NOVEMBER 2017

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EXTERIOR ELEVATIONS - WEST

A2.6

PACE
Council Bluffs, Iowa

1. SEE SHEET A2.3 FOR ALL GENERAL ELEVATION NOTES
AND ALL ELEVATION KEYED NOTES

1. SEE SHEET A2.3 FOR ALL GENERAL ELEVATION NOTES
AND ALL ELEVATION KEYED NOTES

NOT FOR
CONSTRUCTION

SUMMARY

HISTORIC SUBMITTAL

Δ REVISION	DATE
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PROJECT NUMBER: 15122

DATE: 30 NOVEMBER 2017

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EXTERIOR ELEVATIONS - ADDITION

A2.7

PACE HARVESTER BUILDING

Parking Spaces Required

Location	Parking Classification	Parking Ratio	Parking Unit	Parking Spaces Required
Original Building - Basement	Indoor Storage	1 space per 5000 sf	8500	2
Original Building - 1st Floor	Restaurant, General	1 space per 150 sf	8868	60
Addition -1st Floor	Auditorium	1 space per 4 seats	236	59
Original Building - 2nd Floor	Kitchen Space	1space per 150 sf	3060	21
Original Building - 2nd Floor	Office Space	1 space per 400 sf	3662	10
Addition -2nd Floor	Rehearsal Space	N/A	N/A	
Original Building - 3rd Floor	Consumer Service Establishment	1 space per 400 sf	7959	20
Original Building - 4th Floor	Cultural Service (Exhibit Space)	1 space per 500 sf	10287	21
Total Off Street Parking =				193

ORDINANCE NO. 6321

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LOCATED AT 1001 SOUTH 6TH STREET AND SURROUNDING AREA MORE PARTICULARLY DESCRIBED BELOW AND REPEAL ORDINANCE NO. 6174 WHICH APPENDED A PLANNED RESIDENTIAL OVERLAY.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property located at 1001 South 6th Street, legally described as Lots 8 through 13 Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with the South 8 feet of the vacated 10th Avenue adjacent, from R-4/High Density Multifamily Residential District to C-3/Commercial District as defined in Chapter 15.16 of the Municipal Code Of Council Bluffs, Iowa and to adopt an associated development plan and to rezone vacated 11th Avenue right-of-way located between Lot 8, Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent and Lot 13, Block 15, Riddles Subdivision and the West ½ of the adjacent north/south alley from I-2/General Industrial District to C-3/Commercial District as defined in Chapter 15.16 of the Municipal Code of Council Bluffs, Iowa and adopt the associated development plan and Repeal Ordinance No. 6174 which appended a Planned Residential Overlay to property legally described as being Lots 8 through 13 Block 10, Riddles Subdivision and the West ½ of the vacated north/south alley adjacent along with the South 8 feet of the vacated 10th Avenue adjacent.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED

March 12, 2018.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 2-26-18
Second Consideration: 3-12-18
Public Hearing: 3-12-18
Third Consideration:

Council Communication

Department: City Clerk

Case/Project No.: CASE #ZC-18-003

Ordinance 6322

Council Action: 3/12/2018

Submitted by: Rose E. Brown

Description

Ordinance to amend the zoning map, as adopted by reference in section 15.02.070, by rezoning proposed Lots 1 through 30 and Outlot a, being a Replat of a portion of Lot 117, Fox Run Landing, from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District as defined in Chapter 15.08b and to append a PR/Planned Residential overlay. (continuation of carriage road).

Background/Discussion

The Community Development Department has received applications from Western Iowa Land Development, LLC, represented by Robert McCarthy, for preliminary plan approval for a 31-lot residential subdivision to be known as East Fox Run Subdivision, being a replat of a portion of Lot 117, Fox Run Landing Subdivision; and 2) to rezone said property from A-2/Parks, Estates and Agricultural District to R-2/Two Family Residential District; and 3) to adopt a PR/Planned Residential Overlay and associated development plan.

Case #SUB-18-002:

The proposed East Fox Run Subdivision is comprised of 7.81 acres of undeveloped land that is located east of Council Point Road, South of Macineery Drive and North of 55th Avenue. The applicant proposes to develop 30 Attached Single-Family Dwellings on 30 lots, with one outlot. The subdivision will be accessed by an extension to Carriage Road.

The following comments were provided for the proposed subdivision request:

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One year extensions are considered by the City Planning Commission. Subsequent phases are automatically granted a one year extension.
2. The lots intended for residential development range in size from 6,532 Square Feet (0.15 Acres) to 10,314 Square Feet (0.24 Acres). Outlot A, which would be undevelopable, is 1.29 Acres in size.
3. The proposed Subdivision is currently zoned A-2/Parks, Estates and Agricultural District. The applicant proposes to rezone the entirety of the subdivision to R-2/Two-Family Residential District (see Case #ZC-18-003) and to adopt a Planned Residential Overlay District (see Case #PR-18-001). The Planned Residential Overlay District is necessary to allow for attached single-family dwellings in the proposed district.
4. Six lots (Lots 16 through 21) do not meet the required lot frontage of 50 feet for the R-2/Two-Family Residential District. All of the lots comply with minimum lot size requirements, and preliminary building drawings appear to show that the lots will comply with structure coverage standards.
5. All buildable lots will have direct access to the extension of Carriage Road. Outlot A is landlocked, but will be accessible by a 20 foot easement, with 10 feet being located on Lot 28, and 10 feet being located on Lot 29.

6. The extension of Carriage Road will be constructed by the applicant and dedicated to the City of Council Bluffs.
7. The subdivision is located in a Flood Zone X as per FEMA Map #19155C0418F, dated April 16, 2013.
8. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.)
9. MidAmerican Energy Company has stated they have no objections to the request, but also notes there has not been an agreement to extend electric distribution facilities at the time of this report.
10. The Council Bluffs Fire Marshall references the 2015 International Fire Code Chapter D107.1, which limits the number of dwelling units to 30 when only one access road exists. The applicant will be required to adhere to these standards.
11. The City of Council Bluffs Public Works Department stated the following:
 - a. The plat requires standard easement language for lot lines and access easement.
 - b. The plat requires standard dedication language for road, outlot (to homeowners assoc.).
 - c. Construction plans will be required for all improvements.
 - d. Drainage report noted – Public works will continue to work with the engineer of record to finalize the report.
 - e. Geotechnical report will be required.
 - f. IDNR sanitary sewer extension and treatment agreement will be required.
 - g. Grading permit will be required along with IDNR GP #2.
12. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
13. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence. Sidewalk installation along the frontages of outlots shall be completed at the time of road construction.
14. All future street lights shall meet Public Works Department standards. All costs associated with the installation of street lights shall be the responsibility of the developer and not the City.

The following attachments for this request are included with the staff report for reference purposes:

Attachment A: Location and Zoning Map

Attachment B: Letter of Intent

Attachment C: Development Plan

CASE #ZC-18-003:

The subject property is comprised of 7.81 acres of undeveloped land, and is currently zoned A-2/Parks, Estates and Agricultural District. The applicant proposes to rezone the subject property to R-2/Two-Family Residential District to allow for the development of a 31-Lot subdivision that will feature 30 Attached Single Family Dwellings. The applicant is also proposing a Planned Residential Overlay District be adopted for the subdivision. The Preliminary Subdivision Plat as assigned Case #SUB-18-003, and the Planned Residential Overlay District is assigned Case #PR-18-001.

Surrounding zoning in the general vicinity of the request includes R-1/Single-Family Residential District to west and A-2/Parks, Estates and Agricultural District to the east, north, and south. The subdivision will be surrounded by property owned by Fox Run Golf Course. Existing land uses include Single Family Dwellings to the west, and Fox Run Golf Course to the north and to the east.

The future land use plan of the Bluffs Tomorrow: 2030 Plan (comprehensive plan) designates the subject property as Public Park, under the section of Public Land Uses. Two-family and multi-family residential uses are generally not consistent with this land use designation. However, future expansion was anticipated with the platting of the adjacent Fox Run Landing Subdivision, and the future access road was platted and partially

constructed. The proposed attached, single-family dwellings are compatible with the intent and purpose of the R-2 District, and is consistent with the development activity occurring in said area of the City.

Public notices were mailed to all property owners within 200 feet of the request. No formal comments have been received as of the date of this report.

All City departments and local utilities were notified of the proposed development request. No adverse comments for the rezoning have been received as of the date of this report.

The following attachment for this request is included with this staff report for reference purposes:

Attachment A: Location and Zoning Map

Attachment B: Letter of Intent

CASE # PR-17-003

Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance states “the planned residential overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of the requirements of the underlying zone would not be inconsistent with the Comprehensive Plan or harmful to the neighborhood in which it is located”. The applicant proposes to append a Planned Residential Overlay to this subdivision in order to plan the design and layout to build 30 attached, single-family residential dwellings.

The following development standards shall apply to the subject property:

1. **Site Development**

1. All building setbacks, heights and lot coverages shall comply with standards stated in Chapter 15.10 *R-2/Two-Family Residential District* of the Municipal Code (Zoning Ordinance). The submitted development plan shows all buildings will comply with R-2 District site development standards.
2. Lots 16, 17, 18, 19, 21, and 21 do not meet minimum R-2/Two Family Residential District lot width requirement of 50 feet. These lots are all located on the Cul-De-Sac at the end of the street, and the rear yards are wider than the front yards. The Community Development Department recommends that said lots be approved, as proposed, as their size will not be harmful to the neighborhood in which they will located in and the request is consistent with the intent of the Planned Residential Overlay, as stated above.
3. All attached single-family residential dwellings on Lots 1 through 30 shall comply with the development standards stated in Chapter 15.09 *R-2/Two Family Residential District* of the Municipal Code (Zoning Ordinance).
4. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, *Fence regulations* of the Council Bluffs Municipal Code (Zoning Ordinance). All outdoor garden areas used by the senior living facility may be enclosed with a maximum eight-foot tall fence, as measured from finished grade.
5. All site lighting shall comply with the standards stated in Section 15.24.050, *Lighting controls* of the Council Bluffs Municipal Code (Zoning Ordinance).

1. **Off-Street Parking**

- a. The required number of off-street parking spaces for attached single-family residential dwellings shall be based on the standards stated in Section 15.23.060, *Parking spaces required*, of the Municipal Code (Zoning Ordinance).
 - i. Attached single-family residential dwellings: Two spaces per dwelling unit.
Each dwelling unit will be constructed with at least a two-stall garage, as per the submitted architectural renderings.
- b. All parking/loading areas, driveways and drive aisles shall comply with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading* of the Municipal Code (Zoning Ordinance).

1. **Landscaping**

1. The applicant did not provide a landscaping plan for the proposed development. The Community Development Department recommends that one ornamental street tree be planted along the frontage of each lot at the time a dwelling unit is constructed.

1. **Architecture**

- a. The submitted architectural renderings for the attached, single-family residential dwellings are generally acceptable. Each unit will be slab on-grade and limited to one-story in height. Each dwelling unit will either have a two-stall or three-stall garage for off-street parking.

1. **Signage**

1. A signage plan was not submitted with the development plan. All signage (detached and attached) shall comply with Section 15.33.160(03), *PR/Planned Residential District, Signs* of the Municipal Code (Zoning Ordinance).

The following attachments for this request are included with this report for reference purposes:

Attachment A: Location and Zoning Map

Attachment B: Letter of Intent

Attachment C: Development Plan

Recommendation

The Community Development Department recommends the following for land legally described as a portion of Lot 117, Fox Run Landing Subdivision:

1. Preliminary plan approval for a 31-lot residential subdivision to be known as East Fox Run Subdivision, as shown in Attachment A, subject to compliance with all above stated comments and the following conditions:
 - a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is 'deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat'. (§14.11.060.04- Subdivision Ordinance).
 - b. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the developer's responsibility.

- c. An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
 - d. All utilities shall be installed underground.
 - e. Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each house. Sidewalks along the frontages of Outlots A and C shall be installed with the construction of the new public street. Sidewalks for the Immanuel senior living facility shall be completed with each phase.
1. Approval to rezone proposed Lots 1 through 30 and Outlot A from A-2/Parks, Estates and Agricultural District to R-2/Two-Family Residential District to allow for the construction of 30 attached single family dwellings on the basis that the request is consistent and compatible with existing zoning districts and land uses in the general vicinity of the request.
 2. Approval to append a Planned Residential Overlay (PR) and to adopt the associated development plan for the proposed East Fox Run Subdivision, as per Attachments B and C, subject to compliance with all above stated comments and the following condition:
 - a. Approval to allow Lots 16, 17, 18, 19, 20, and 21 to have a lot width of less than the required 50 feet in an R-2/Two Family Residential District on the basis that the lot sizes will not be harmful to the development of the neighborhood and is consistent with the intent Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance.

City Planning Commission Public Hearing

The following spoke in favor of the requests:

Jason James, 17375 235th Street, Council Bluffs, IA 51503. The applicant's representative modified the rezoning request from R-2/Two Family Residential District originally requested to R-1/Single Family Residential District.

John Jorgenson, HGM Associates, 640 5th Avenue, Council Bluffs, IA 51501

The following spoke in opposition to the requests:

Ken Degroot, 5121 Council Pointe Road, Council Bluffs, IA 51501.

Mark Lewis, 5011 Council Pointe Road, Council Bluffs, IA 51501

Bradley Point, 3102 Gold Rush Road, Council Bluffs, IA 51501

Sara Point, 3102 Gold Rush Road, Council Bluffs, IA 51501.

Correspondence was provided to the Planning Commission concerning the requests and is included as Attachment D.

The City Planning Commission recommends the following for land legally described as a portion of Lot 117, Fox Run Landing Subdivision:

1. Preliminary plan approval for a 31-lot residential subdivision to be known as East Fox Run Subdivision, as shown in Attachment A, subject to compliance with all above stated comments and the following conditions:
 - a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is 'deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat'. (§14.11.060.04- Subdivision Ordinance).

- b. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the developer's responsibility.
 - c. An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
 - d. All utilities shall be installed underground.
 - e. Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each house. Sidewalks along the frontages of Outlots A and C shall be installed with the construction of the new public street. Sidewalks for the Immanuel senior living facility shall be completed with each phase.
1. Approval to rezone proposed Lots 1 through 30 and Outlot A from A-2/Parks, Estates and Agricultural District to R-2/Two-Family Residential District to allow for the construction of 30 attached single family dwellings on the basis that the request is consistent and compatible with existing zoning districts and land uses in the general vicinity of the request.
 2. Approval to append a Planned Residential Overlay (PR) and to adopt the associated development plan for the proposed East Fox Run Subdivision, as per Attachments B and C, subject to compliance with all above stated comments and the following condition:
 - a. Approval to allow Lots 16, 17, 18, 19, 20, and 21 to have a lot width of less than the required 50 feet in an R-2/Two Family Residential District on the basis that the lot sizes will not be harmful to the development of the neighborhood and is consistent with the intent Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance.

Aye – 5 Nay – 1 Abstain – 2 Absent – 3 Motion carried.

ATTACHMENTS:

Description	Type	Upload Date
Public hearing notice	Other	2/16/2018
Attachment A	Map	2/16/2018
Attachment B	Letter	2/16/2018
Attachment C	Map	2/16/2018
Attachment D	Letter	2/16/2018
6322	Ordinance	3/6/2018

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as a portion of Lot 117, Fox Run Landing, from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential, and appending a Planned Residential Overlay, City of Council Bluffs, Pottawattamie County, Iowa.

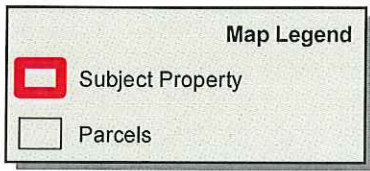
You are further notified that the Public Hearing on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 12th day of March, 2018, in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #SUB-18-002, #ZC-18-003, and #PR-18-001

LOCATION AND ZONING MAP



Last Amended: 2/1/18

Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629

DISCLAIMER
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibility for errors, if any, in the information contained on this map. The user of the map is responsible for the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.



EAST FOX RUN SUBDIVISION

East Fox Run Townhomes

PR Development Plan

Letter of Intent

HGM# 108217

January 2018

A 30-lot townhome development is proposed as East Fox Run. Townhouse duplexes are proposed for Lots 1 through 30 inclusive with Lot 31 designated as Outlot A for greenspace and storm water detention.

The townhouse lots within this development plan will be served by a new 950-foot street bisecting the townhouses. The proposed street, identified as Carriage Road, will extend from Council Pointe Road to the east then turning south and terminate with a 45-foot radius cul-de-sac. Pavement will be centered in a proposed 50-foot wide right-of-way which will subsequently be dedicated to the City of Council Bluffs. Pavement will be 26 feet-wide (curb-to-curb) and constructed as shown on the typical section (sheet A.01 of the Townhomes Development Plan).

The townhouse development will be served by a proposed 8" sanitary sewer main running beneath the proposed pavement. Service connections will be made as part of this project and will be extended from the proposed sewer to the proposed right-of-way line. A system of storm sewer pipes and intakes will also be constructed to convey storm water runoff to the proposed detention system within the subdivision. The townhouse development will also be served by an extension of water main from Council Pointe Road as determined by the Council Bluffs Water Works.

Installation of street lights, electric and gas services, and communication utilities are also planned for the subdivision. Driveways and sidewalks will be constructed as individual lots are developed.

A geotechnical report is currently being prepared by Thiele Geotechnical Inc.

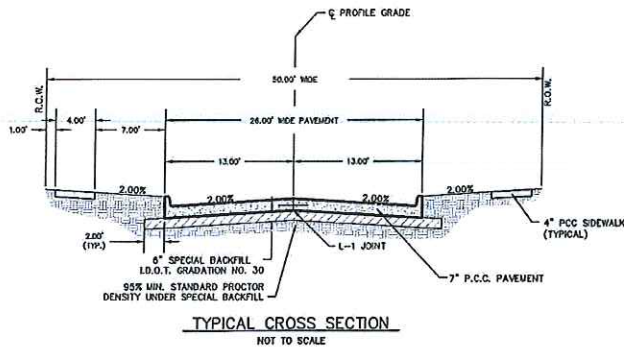
HGM is currently working with the Public Works Department on developing the drainage report.

Site grading is scheduled to be completed this spring with all public improvements (including street pavement, storm sewer, sanitary sewer and water main) scheduled to be completed in 2018. All proposed lots and public improvements in the East Fox Run Subdivision will be developed at the same time as one phase.

This letter was authored by John Jorgensen, PE, HGM Associates Inc.

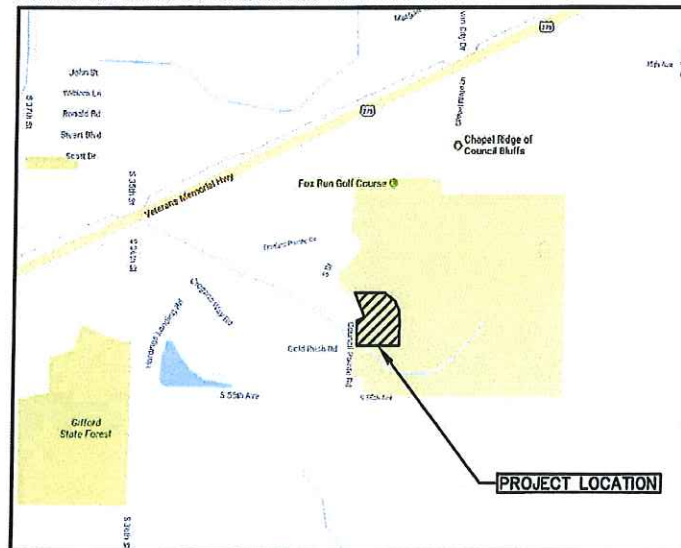
Attachment C

DEVELOPMENT PLAN EAST FOX RUN SUBDIVISION RESIDENTIAL OVERLAY OF LOTS 1 THRU 30 INCLUSIVE AND OUTLOT A



VERTICAL CONTROL

NAVD '88
BENCH MARK OF ORIGIN: NGS D132 RESET, 1948 ELEV. = 975.39
1.2 MILES WEST FROM MANAWA PARK, 1.25 MILES WEST ALONG U.S. HIGHWAY 275 FROM THE MANAWA PARK SCHOOL AND THE CROSSING OF U.S. HIGHWAY 275 AND STATE HIGHWAY 192 AT MANAWA PARK, AT THE FIRST CURVE IN U.S. HIGHWAY 275 WEST OF MANAWA PARK SCHOOL, IN THE NORTHEAST QUARTER OF THE INTERSECTION OF A DIRT ROAD WHICH LEADS NORTH ALONG THE EAST EDGE OF INDIAN CREEK DITCH, 32.8 FEET EAST OF THE CENTER LINE OF THE DIRT ROAD, 71.4 FEET NORTH OF THE CENTER LINE OF THE HIGHWAY MEASURED FROM 14,070.00' POINT 150.0 FEET WEST OF THE EAST END OF THE CURVE, 0.25 MILE NORTHEAST OF A JUNCTION OF A ROAD LEADING TO THE RADIO TRANSMISSION TOWERS OF KOIL, 1.0 FOOT NORTHWEST OF AN IRON FENCE CORNER POST, 1.0 FOOT SOUTH OF A 4 X 4 REFERENCE POST, SET IN THE TOP OF A CONCRETE POST WHICH PROJECTS 0.4 FOOT ABOVE THE GROUND AND IS ABOUT 7.0 FEET BELOW THE SURFACE OF THE HIGHWAY.



LOCATION MAP
COUNCIL BLUFFS, IOWA
NO SCALE

— INDICATES PROJECT LOCATION

CURRENT OWNER/DEVELOPER:

WESTERN IOWA LAND DEVELOPMENT, L.L.C.
ROBERT MCCARTHY
P.O. BOX 683
AVOCA, IOWA 51521

ENGINEER:

HGM ASSOCIATES, INC.
640 FIFTH AVENUE
COUNCIL BLUFFS, IOWA 51502

ZONING:

EXISTING ZONING OF PROPOSED TOWNHOME SUBDIVISION IS A-1
PROPOSED ZONING OF PROPOSED TOWNHOME SUBDIVISION IS CLASS R-2/PR, CITY FOR LOTS 1-30 AND OUTLOT A.

EXISTING FLOOD PLAIN:

MISSOURI RIVER FLOOD PLAIN
ZONE X - AREA WITH REDUCED FLOOD RISK DUE TO LEVEE.
NO FLOODWAY OR FRINGE ENCROACHMENT

INDEX

PAGE NO.	DESCRIPTION
A.01	TITLE SHEET
A.02	AREA MAP
G.01	RESIDENTIAL OVERLAY PLAN

SPECIFICATIONS

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2018, AND CITY OF COUNCIL BLUFFS SUPPLEMENTAL SPECIFICATIONS 2018, SHALL APPLY TO THIS PROJECT.

	I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.	
	JOHN E. JORGENSEN	1/16/18
	My license renewal date is December 31, 2019.	
	Pages or sheets covered by this seal: A.01, A.02, AND G.01	

STORM WATER DETENTION:

CONSTRUCTION OF NEW DETENTION IN ACCORDANCE WITH SUDAS DESIGN STANDARDS.

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY HGM ASSOCIATES INC.

NOTES:

PROPOSED SEWER: CONSTRUCT NEW SANITARY SEWER, WITH PRIVATE LATERAL CONNECTIONS. CONSTRUCT NEW STORM SEWER AND INTAKES. NEW SEWER TO BE DEDICATED TO CITY OF COUNCIL BLUFFS.
PROPOSED WATER: CITY WATER CONNECTIONS TO BE DESIGNED BY CBWW. DEDICATION OF R-O-W: YES. 1.26 ACRES OF 50' WIDE R-O-W WILL BE DEDICATED TO CITY OF COUNCIL BLUFFS.
SURFACE RUNOFF: STORM SEWER TO PROPOSED SUBDIVISION DETENTION.
EASEMENTS: A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

hgm ASSOCIATES, INC.
640 FIFTH AVENUE
COUNCIL BLUFFS, IA
PHONE: 712-323-0510

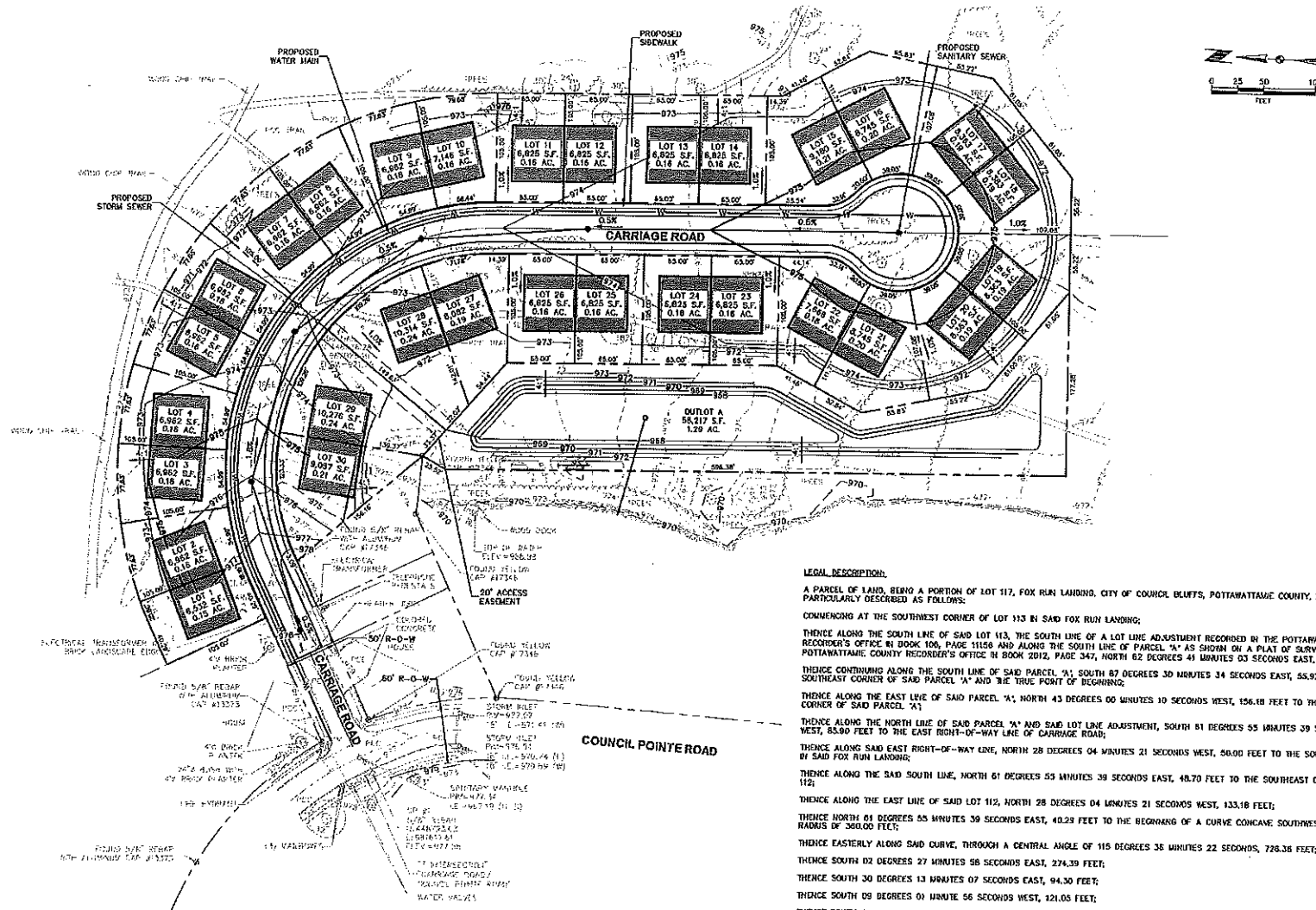
hgm ASSOCIATES, INC.
640 FIFTH AVENUE
COUNCIL BLUFFS, IA
PHONE: 712-323-0510

PROJECT: EAST FOX RUN SUBDIVISION
CLIENT: WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 683, AVOCA, IOWA 51521
DATE: JAN 16 2018
SHEET: 1 OF 1

PROJECT: EAST FOX RUN SUBDIVISION
CLIENT: WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 683, AVOCA, IOWA 51521
DATE: JAN 16 2018
SHEET: 1 OF 1

PROJECT NO.: 108217
SHEET: A.01

project no.
108217
sheet
A.02



LEGAL DESCRIPTION:

A PARCEL OF LAND, BEING A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 113 IN SAID FOX RUN LANDING;

THENCE ALONG THE SOUTH LINE OF SAID LOT 113, THE SOUTH LINE OF A LOT LINE ADJUSTMENT RECORDED IN THE POTTAWATTAMIE COUNTY RECORDER'S OFFICE IN BOOK 160, PAGE 1158 AND ALONG THE SOUTH LINE OF PARCEL 'A' AS SHOWN ON A PLAT OF SURVEY RECORDED IN THE POTTAWATTAMIE COUNTY RECORDER'S OFFICE IN BOOK 2012, PAGE 347, NORTH 62 DEGREES 41 MINUTES 03 SECONDS EAST, 183.02 FEET;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID PARCEL 'A', SOUTH 87 DEGREES 30 MINUTES 34 SECONDS EAST, 55.92 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 'A' AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE EAST LINE OF SAID PARCEL 'A', NORTH 43 DEGREES 00 MINUTES 10 SECONDS WEST, 156.18 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 'A';

THENCE ALONG THE NORTH LINE OF SAID PARCEL 'A' AND SAID LOT LINE ADJUSTMENT, SOUTH 81 DEGREES 55 MINUTES 39 SECONDS WEST, 85.90 FEET TO THE EAST RIGHT-OF-WAY LINE OF CARRIAGE ROAD;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 28 DEGREES 04 MINUTES 21 SECONDS WEST, 58.00 FEET TO THE SOUTH LINE OF LOT 112 OF SAID FOX RUN LANDING;

THENCE ALONG THE SAID SOUTH LINE, NORTH 61 DEGREES 55 MINUTES 39 SECONDS EAST, 48.70 FEET TO THE SOUTHEAST CORNER OF SAID LOT 112;

THENCE ALONG THE EAST LINE OF SAID LOT 112, NORTH 28 DEGREES 04 MINUTES 21 SECONDS WEST, 133.18 FEET;

THENCE NORTH 01 DEGREES 55 MINUTES 39 SECONDS EAST, 40.29 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 360.00 FEET;

THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 115 DEGREES 38 MINUTES 22 SECONDS, 728.38 FEET;

THENCE SOUTH 02 DEGREES 27 MINUTES 58 SECONDS EAST, 274.39 FEET;

THENCE SOUTH 30 DEGREES 13 MINUTES 07 SECONDS EAST, 94.30 FEET;

THENCE SOUTH 09 DEGREES 01 MINUTE 56 SECONDS WEST, 121.05 FEET;

THENCE SOUTH 48 DEGREES 18 MINUTES 59 SECONDS WEST, 122.11 FEET;

THENCE SOUTH 87 DEGREES 32 MINUTES 02 SECONDS WEST, 287.22 FEET;

THENCE NORTH 02 DEGREES 27 MINUTES 58 SECONDS WEST, 595.38 FEET;

THENCE NORTH 27 DEGREES 08 MINUTES 41 SECONDS EAST, 25.52 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINS AN AREA OF 7.81 ACRES, MORE OR LESS.

hgm
ASSOCIATES, INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IA
PHONE: 712-323-0330

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
DATE: [Date]

PROJECT: EAST FOX RUN SUBDIVISION
CLIENT: WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 605, ANGELO, IOWA 52521
RESIDENTIAL OVERLAY PLAN

PROJECT NO.: 108217
SHEET: 61.0

Christopher Meeks

From: sharyl <sharyl3@msn.com>
Sent: Saturday, February 10, 2018 4:13 PM
To: Christopher Meeks
Subject: Rezoning in Fox Run subdivision

I live at 5113 Council Pointe Rd in Fox Run and am very concerned about the proposed East Fox Run Subdivision. Due to the additional 30 homes planned to be built in and around my residence I am very concerned about the drainage and flooding.

Mrs. N. Britten

Christopher Meeks

From: Kathy DeGroot <kathydgrt@gmail.com>
Sent: Monday, February 12, 2018 2:00 PM
To: Christopher Meeks
Cc: Kathy DeGroot
Subject: Fox Run development

To Chris Meeks,

Thank you for sending the letter pertaining to the development at Fox Run Landing. We realize it is moving forward to be developed, but we have a few concerns.

1. Drainage is an on going issue out here and adding 30 more homes will push our drainage capabilities to the max.
2. Is the pond going to be expanded as originally planned to accommodate for that drainage?
3. Will the trees and brush on the bank be cleaned up?

We will be attending the meeting to make sure these are addressed.

Thank you,
Ken and Kathy DeGroot
5121 Council Pointe Road

Sent from my iPad

Christopher Meeks

From: THOMAS HOLM <holm5117tomjo@cox.net>
Sent: Sunday, February 11, 2018 1:12 PM
To: Christopher Meeks
Subject: East Fox run Development

Chris Meeks

I have concerns with Western Iowa Development in Fox Run on the 31 lot subdivision.

My concerns are with the drawing. There is no easement to allow water drainage of existing lots on Council Pointe Road and Hole #8. Current drainage of Hole #8 is pumped east to a drainage ditch. If drainage ditch becomes full of rain water from the driving range and the club house area, water drains over land to the retention pond west and south of the proposed addition.

The drawing also shows a retention pond or water holding area before it goes into the existing retention pond. Why is this necessary? Is this what Mark Augustine wants or what the developer wants? Those lots should butt up to the pond for looks and access to the retention pond. I am concerned about erosion control. I am also concerned about the existing retention ponds if they are big enough to handle these 8 acres and 31 lots.

I would like all City Council members to read and and all emails received on this matter.

Thank You

Jo Ann & Tom Holm

5117 Council Pointe Road

ROBERT L. AND JANE A. KIRCHNER
5105 COUNCIL POINTE RD
COUNCIL BLUFFS, IOWA 51501
712-323-4483

February 12, 2018

To: The City Planning Commission
City of Council Bluffs, Iowa

Re: #SUB-18-002, #ZC-18-003 and #PR-18-001

We are sending this letter in anticipation of your meeting of Tuesday February 13, 2018 regarding the above captioned Zoning Requests for Western Iowa Land Development, LLC. We are the homeowners at 5105 Council Pointe Rd. Our home is on the east side of Council Pointe Rd and is situated directly behind the 8th green of Fox Run Golf Course. We are the 4th house from the corner of Council Pointe Rd and Carriage drive, the entrance to the proposed development.

Our concern with the new development, and our request to the Planning Commission, is to ensure the water drainage behind our house, and those of the other 9 homeowners on the East side of Council Pointe continues to be drained to the Fox Run subdivision's easternmost retention pond. That pond is the retention pond that sits directly to the west of the proposed development.

Currently, water runoff in our yards accumulates through drains and is pumped to the Fox Run golf course open drain field adjacent to the proposed development, with the water thence following the surface drainage and contour of the land through and over the northern end of the proposed development and into the retention pond on the east side of the Kenneth de Groot house at 5121 Council Pointe Rd. During heavy rains, the water will pool behind our homes and rise nearly to our patio doors. (See the photo below taken behind our house after a heavy rain.)

In the absence of adequate planning and provision for drainage, the proposed building lots and the extension of Carriage drive on the northern end of the development will cut off drainage for all of the houses on the east side of Council Pointe Rd and we all will have water in our basements on heavy rains and standing water at all other times. For the record, the combined assessed values of our 10 homes exceeds \$3.2 million with a combined net annual property tax of over \$70,000. Lack of proper drainage can have serious adverse financial consequences to the values of our properties.

I ask that you require Western Iowa Land Development LLC to safeguard our drainage through careful attention to the location/measurement of ground contours and elevations and the installation of sufficient water management systems/underground piping that can handle all water drainage from our homes as well as all the drainage from the southern end of the golf

ROBERT L. AND JANE A. KIRCHNER
5105 COUNCIL POINTE RD
COUNCIL BLUFFS, IOWA 51501
712-323-4483

course. If that drainage is impeded in the least, we will have water in our basements and continuous standing water on our properties.

Thank you for your consideration.

Robert L. Kirchner

Robert L. and Jane A. Kirchner
5105 Council Pointe Rd
Council Bluffs, Iowa 51501



Christopher Meeks

From: Mark Lewis <msl5011@gmail.com>
Sent: Friday, February 9, 2018 11:09 AM
To: Christopher Meeks
Subject: Fox Run Landing new proposal concerns
Attachments: 20150923_101525.jpg; 20150923_101533.jpg; 2011-08-22 06.53.27.jpg; 2011-08-22 06.54.21.jpg

Mr. Meeks,

My name is Mark Lewis and I live at 5011 Council Pointe Rd. The back of my house faces the new development.

Attached please find 4 of my pictures of my backyard, showing my concerns for the drainage issues that I have. 2 of the pictures are from the flooding of 2011, and yes it is the extreme. The other two are more the normal from a moderate to heavy rain.

I realize that this is an issue for the golf course, but my concern is with the new development further complicating the drainage issue. I hope this will be addressed with all parties involved.

If you have any questions please call.

Thank you for your time,

Mark Lewis
712.366.0040





TO: The City Planning Committee
City of Council Bluffs, Iowa

FROM: Steve and Barb Padilla

DATE: February 13, 2018

SUBJECT: #SUB-18-002, #ZC-18-003 and #PR-18-001

This memo is to question how the drainage from this new addition will affect the homeowners of Fox Run.

- ✓ Will this proposed development cause more flooding problems for the homeowners on the east side of Council Pointe Road?
- ✓ Will the drainage from the new development cause increased water levels for the existing retention ponds (which are all hooked together and are filled by street runoff) and lead to possible flooding?

Thanks for your consideration!

Christopher Meeks

From: Pat Porter <poporter@cox.net>
Sent: Saturday, February 10, 2018 1:26 PM
To: Christopher Meeks
Cc: poporter@cox.net
Subject: Concerns about new development at Fox Run

Chris Meeks, Planner
209 Pearl St
Council Bluffs, IA 51503

Dear Mr. Meeks,

I understand that there is consideration for a new development at Fox Run. I have concerns about water drainage. I live near the proposed development and want to alert those considering the development to know about our water drainage problems. I have attached pictures of what happens to the course when we have a big rain. The pictures are from my house overlooking what is normally a grass fairway and green on hole number 8....and the area where the new building is being proposed. As you can see, there is standing water that sometimes goes up to the patios of our homes. Before anymore development happens, this problem needs to be addressed or it will not only frustrate the new homeowners but it will exacerbate the current situation.

Richard and Pat Porter
5019 Council Pointe Rd
Council Bluffs, IA 51501



01



ORDINANCE NO. 6322

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPOSED LOTS 1 THROUGH 30 AND OUTLOT A, BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO R-1/SINGLE-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.08B OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA AND TO APPEND A PR/PLANNED RESIDENTIAL OVERLAY.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone the proposed 31-lot residential subdivision to be known as East Fox Run Subdivision, being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District with a PR/Planned Residential Overlay.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect upon final plat approval from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED

March 12, 2018.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 2-26-18
Second Consideration: 3-12-18
Public Hearing: 3-12-18
Third Consideration:

Planning Case No. #ZC-18-003

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Jodi Quakenbush

Resolution 18-82

Council Action: 3/12/2018

Description

Resolution accepting \$1,000 payment from Shirley Lindner c/o Barbara Lindner, as payment in full from an agreement dated June 23, 2001.

Background/Discussion

Shirley Lindner visited with Council on December 18, 2017 requesting that the balance of her agreement be waived.

Regarding 4835 Navajo

She was assessed \$8,000 for a tree removal project on June 23, 2001. She has been paying a minimum of \$25.00 per month since then.

Our records indicate that she still owes \$2,475.00 as of March 5, 2018.

She will tell you her records show \$2,400.

When she was here in December it was suggested to her that if she could make some sort of an offer Council would be more likely to consider that.

Shirley is offering to pay \$1,000 if the remaining balance can be forgiven.

If she continues to pay \$25.00 per month it will take approx 12 more years to pay off.

Recommendation

Council seemed agreeable to accept an offer in December, so I have prepared a Resolution accepting the \$1,000 as payment in full.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 18-82	Resolution	3/6/2018

RESOLUTION NO. 18-82

RESOLUTION ACCEPTING \$1,000 PAYMENT FROM SHIRLEY LINDNER C/O BARBARA LINDNER, 4835 NAVAJO AS PAYMENT IN FULL FROM AN AGREEMENT DATED JUNE 23, 2001.

WHEREAS, Shirley Lindner, c/o Barbara Lindner, 4835 Navajo offers \$1,000 as payment in full regarding an agreement for tree removal dated June 23, 2001; and

WHEREAS, The City of Council Bluffs agrees to accept payment of \$1,000, as paid in full and agrees to forgive the remaining balance of \$1,475.

NOW, THEREFORE BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

Upon receipt of \$1,000 the City of Council Bluffs accepts payment of agreement as paid in full and forgives the remaining balance of \$1,475.00.

ADOPTED
AND
APPROVED

March 12, 2018

Matthew Walsh Mayor

Attest:

Jodi Quakenbush City Clerk

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Kathryn Knott

Resolution 18-83

Council Action: 3/12/2018

Description

Resolution authorizing the issuance and levying a tax for the payment of \$23,835,000 General Obligation Bonds 2018A.

Background/Discussion

The City of Council Bluffs intends to issue bonds, not to exceed \$23,835,000. A resolution is required to include repayment of the debt in the debt levy within the Fiscal 2019 budget.

The total bond issuance includes the following:

\$ 5,070,000	Fiscal year 2019 CIP
11,805,000	Remaining bond for the Police Department Headquarters
3,550,000	Refunding of the 2009B bonds
3,410,000	Refunding of the 2010C bonds
\$23,835,000	Total not to exceed

Recommendation

Approve the resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 18-83	Resolution	3/6/2018

ITEMS TO INCLUDE ON AGENDA FOR MARCH 12, 2018

CITY OF COUNCIL BLUFFS, IOWA

Resolution 18-83

\$23,835,000 General Obligation Bonds, Series 2018A.

- Resolution authorizing the issuance and levying a tax for the payment thereof.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 12, 2018

The City Council of the City of Council Bluffs, State of Iowa, met in _____
session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at
_____.M., on the above date. There were present Mayor _____, in the
chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$23,835,000 GENERAL OBLIGATION BONDS, SERIES 2018A, AND LEVYING A TAX FOR THE PAYMENT THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

Resolution 18-83

RESOLUTION AUTHORIZING THE ISSUANCE OF
\$23,835,000 GENERAL OBLIGATION BONDS, SERIES
2018A, AND LEVYING A TAX FOR THE PAYMENT
THEREOF

WHEREAS, the City of Council Bluffs, State of Iowa ("Issuer"), is a municipal corporation, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of:

a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes;

b) acquisition, construction, reconstruction, and improvement of real and personal property useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the

establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements;

c) rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks;

d) settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, or judgments, or the funding or refunding of the same, whether or not such indebtedness was created for a purpose for which general obligation bonds might have been issued in the original instance;

e) improvement, and equipping of fire stations; and

f) building, equipping and furnishing a police station and the acquisition of real estate therefor,

(the "Project"), and it is deemed necessary and advisable that General Obligation Bonds, Series 2018A, in the amount of \$23,835,000 be issued; and

WHEREAS, the City Council has taken such acts as are necessary to authorize issuance of the Bonds for such purposes; and

WHEREAS \$7,210,000 of the \$20,000,000 approved for the police station project has previously been issued pursuant to a Resolution adopted by the City Council on July 24, 2017.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA:

Section 1. Authorization of the Issuance. General Obligation Bonds, Series 2018A, in the amount of \$23,835,000 shall be issued pursuant to the provisions of Iowa Code Sections 384.25, 384.26 and 384.28 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76.2, there is levied for each future year the following direct annual tax upon all the taxable property in the City of Council Bluffs, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$1,478,449	2018/2019
\$2,547,813	2019/2020
\$2,563,122	2020/2021
\$2,575,333	2021/2022
\$2,583,332	2022/2023
\$2,591,958	2023/2024
\$1,936,967	2024/2025
\$1,335,305	2025/2026
\$1,332,610	2026/2027
\$1,333,700	2027/2028
\$1,331,380	2028/2029
\$1,332,060	2029/2030
\$ 829,973	2030/2031
\$ 832,402	2031/2032
\$ 833,273	2032/2033
\$ 832,532	2033/2034
\$ 830,475	2034/2035
\$ 832,430	2035/2036
\$ 833,200	2036/2037
\$ 832,400	2037/2038

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Bonds to be issued, this Council will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Pottawattamie, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Bonds.

PASSED AND APPROVED this 12th day of March, 2018.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2018.

(SEAL)

COUNTY AUDITOR'S CERTIFICATE

I, _____, County Auditor of Pottawattamie County, State of Iowa, hereby certify that on the _____ day of _____, 2018 there was filed in my office the Resolution of the City Council of the City of Council Bluffs, State of Iowa, adopted on the 12th day of March, 2018, such Resolution levying a tax for the purpose of paying principal and interest on \$23,835,000 of General Obligation Bonds, Series 2018A, and authorizing the issuance of the Bonds.

I further certify that no petition or proceeding has been filed or commenced to contest the officially certified result of the election held May 3, 2016, for the authorization of the Bonds.

(COUNTY SEAL)

County Auditor of Pottawattamie County, State
of Iowa

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Kathryn Knott

Resolution 18-84

Council Action: 3/12/2018

Description

Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.

Background/Discussion

The City of Council Bluffs intends to issue general obligation bonds for FY19 CIP projects and for the police department headquarters. This resolution allows the City to reimburse itself from the bond proceeds for expenses incurred for these specific projects prior to the official sale date of the bonds.

Recommendation

Approve the resolution

ATTACHMENTS:

Description

Resolution 18-84

Type

Resolution

Upload Date

3/6/2018

ITEMS TO INCLUDE ON AGENDA FOR MARCH 12, 2018

CITY OF COUNCIL BLUFFS, IOWA

Resolution 18-84

- Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

March 12, 2018

The City Council of the City of Council Bluffs, State of Iowa, met in _____
session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at
_____ o'clock _____.M., on the above date. There were present Mayor
_____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Council Member _____ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

Resolution 18-84

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER
TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO
REIMBURSE THE CITY FOR CERTAIN ORIGINAL
EXPENDITURES PAID IN CONNECTION WITH SPECIFIED
PROJECTS

WHEREAS, the City anticipates making cash expenditures for one or more capital improvement projects generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the City reasonably expects to issue debt to reimburse the costs of a Project;
and

WHEREAS, the Council believes it is consistent with the City's budgetary and financial circumstances to issue this declaration of official intent.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF COUNCIL BLUFFS, STATE OF IOWA:

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Council determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the City reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the City in the future.

Section 4. That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
<u>River's Edge</u>	Capital Project	\$650,000	\$650,000	6/30/19
<u>1st Ave Program</u>	Capital Project	\$1,450,000	\$500,000	6/30/19
<u>River's Edge Water Main</u>	Capital Project	\$1,500,000	\$1,500,000	6/30/19
<u>Fire Station Alerting System</u>	Capital Project	\$350,000	\$350,000	6/30/19
<u>Roberts Park</u>	Capital Project	\$200,000	\$200,000	6/30/19
<u>Emerald Ash Bore</u>	Capital Project	\$95,000	\$95,000	6/30/19
<u>Kimball Park</u>	Capital Project	\$70,000	\$70,000	6/30/19
<u>W. Broadway Seg 3</u>	Capital Project	\$8,800,000	\$1,635,000	6/30/19
<u>Police Head- quarters</u>	Capital Project	\$20,000,000	\$12,500,000	6/30/19

Section 5. That the City reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service.

Section 6. That this Resolution be maintained by the City Clerk in an Official Intent File maintained in the office of the Clerk and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this 12th day of March, 2018.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the City hereto affixed this _____ day of _____, 2018.

(SEAL)

Council Communication

Department: Finance

Case/Project No.:

Submitted by: Kathryn Knott

Resolution 18-85

Council Action: 3/12/2018

Description

Resolution authorizing the Mayor to execute an engagement agreement with Ahlers & Cooney P.C. relating to the general obligation bonds, Series 2018A.

Background/Discussion

Ahlers & Cooney, P.C., Bond Counsel to the City of Council Bluffs, has presented their Engagement Agreement for the 2018A General Obligation Bonds. The agreement specifies the scope of the engagement and appropriate fees.

Recommendation

Accept and approve the terms of the agreement by approving the resolution.

ATTACHMENTS:

Description	Type	Upload Date
Agreement	Agreement	3/6/2018
Resolution 18-85	Resolution	3/6/2018

ENGAGEMENT AGREEMENT

The purpose of this Engagement Agreement (the "Agreement") is to disclose and memorialize the terms and conditions under which services will be rendered by Ahlers and Cooney, P.C., in its capacity as Bond Counsel, to the City of Council Bluffs, Iowa (the "Issuer") in connection with the issuance of General Obligation Bonds, Series 2018A (the "Bonds").

SCOPE OF ENGAGEMENT

In the role of Bond Counsel, we will provide the following services:

1. Prepare and review documents related to the authorization, issuance and delivery of the Bonds (the "Proceedings").
2. After proper approval and execution of the Proceedings, render our legal opinion (the "Bond Opinion") regarding the validity and enforceability of the Bonds, the source of payment with regard to the legality of the security pledged, and the excludability of interest on the Bonds from gross income for federal tax purposes, as applicable.
3. Review those sections of any offering or disclosure documents (the "Offering Documents") to be disseminated in connection with the sale of the Bonds related solely to the description of the Bonds, the legal basis for the security pledged, the tax-exempt status of the Bonds, and excerpts, summaries or copies of the Bond Opinion; and in the event Issuer retains separate Disclosure Counsel we will coordinate with said Disclosure Counsel in regards to the above-identified information we are reviewing in the Offering Documents.
4. Upon request, assist the Issuer in presenting information to bond rating organizations and providers of credit enhancement relating to the issuance of Bonds.
5. Prepare procedure to advertise and direct the sale of Bonds when we are advised that a particular issue of Bonds will be sold at public sale, and prepare procedure accepting a proposal to purchase the Bonds when we are advised that the sale of a particular issue of Bond will accomplished by negotiated sale.
6. Draft the Continuing Disclosure Certificate of the Issuer, if applicable.
7. Prepare an IRS Form 8038-G or 8038-GC, when applicable.

As Bond Counsel, our examination will extend to the actions and approvals necessary to authorize the issuance and initial delivery of the Bonds to the purchaser thereof. Our Bond Opinion does not extend to any re-offering of the Bonds by the original purchaser thereof or other persons, and will be delivered by us on the date the Bonds are exchanged for their purchase price (the "Closing").

The Bond Opinion will be based on facts and law existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws relating to the Bonds. During the course of this engagement, we will rely on the Issuer, and authorized officials, to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security.

Our duties in this engagement are limited to those expressly set forth above. This Engagement Agreement does not include the following services, or any other matter not required to render our Bond Opinion:

- a. Except as described in paragraph (3) above, assisting in the preparation or review of the Offering Documents with respect to the Bonds, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the Offering Documents do not contain any untrue statement of material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading. This engagement does not include the services of Disclosure Counsel.
- b. Preparing requests for tax rulings from the Internal Revenue Service, or “no action” letters from the Securities and Exchange Commission.
- c. Drafting state constitutional or legislative amendments.
- d. Pursuing test cases or other litigation, such as contested validation proceedings.
- e. Except as described in paragraph (6) above, assisting in the preparation of, or opinion on, a continuing disclosure undertaking pertaining to the Bonds, or after Closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking, including monitoring Issuer’s continued compliance with the undertaking.
- f. Representing the Issuer in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations.
- g. After Closing a particular issue of Bonds, providing continuing advice to the Issuer or any other party concerning actions necessary to assure that interest paid on that issue of Bonds will continue to be excludable from gross income for federal income tax purposes (e.g. this Bond Counsel engagement for the Bonds does not include rebate calculations, nor continuing post-issuance compliance activities).

We will provide one or more of the services listed in (a)–(g) upon your request, however, a separate, written Engagement Agreement will be required before we assume one or more of the above duties.

Services listed in subparts (h)–(k), below, are not included in this Engagement Agreement, nor will they be provided at any time.

- h. Acting as an underwriter, or otherwise marketing the Bonds.
- i. Acting in a financial advisory role.
- j. Preparing blue sky or investment surveys with respect to the Bonds.
- k. Making an investigation or expressing any view as to the creditworthiness of the Issuer or of the Bonds.

ATTORNEY-CLIENT RELATIONSHIP

Upon our receipt of notification that Bond Counsel services are requested under this Engagement Agreement, the Issuer will be our client and an attorney-client relationship will exist between us as outlined above. We assume that all other parties to each such transaction will retain such counsel as they deem necessary and appropriate to represent their interests. We further assume that all parties understand that in each such transaction we represent only the Issuer, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as Bond Counsel are limited to those contracted for in this letter; the Issuer's execution of this engagement agreement will constitute an acknowledgement of those limitations. Our representation of the Issuer will not affect, however, our responsibility to render an objective Bond Opinion.

Each representation of the Issuer and the attorney-client relationship for the Bonds created by this Engagement Agreement will be concluded upon issuance of that respective issue of Bonds. Nevertheless, subsequent to Closing, we will mail the appropriate Internal Revenue Service Form 8038, and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds.

FEES

We will charge a flat fee of \$26,500 for services rendered under this Agreement. It is not anticipated that it will be necessary for us to personally attend meetings in order to provide the Bond Counsel services outlined above, but we will do so in the event that circumstances require. If, at any time, we believe that an adjustment of our flat fee is necessary during an engagement as Bond Counsel for a particular issuance of Bonds, we will advise you. Such adjustment might be necessary in the event: (a) the principal amount of Bonds to be issued differs significantly from the amount stated at the time we advise you of our fee; (b) there are material changes in the structure, security or opinion from the description of the Bonds after we advise you of our fee; or (c) unusual or unforeseen circumstances arise which require a significant increase in the services rendered, such as personal attendance at meetings, significant travel, or unexpected revision of the issuance documents at the request of the Issuer, any agent acting on your behalf (such as a financial advisor), the purchaser, a bond insurer, other counsel providing services with respect to issuance of a particular issuance of Bonds.

In addition to the flat fee, we will bill you for all expenses incurred on your behalf, such as travel cost reimbursement, photocopying, deliveries, long distance telephone charges, telecopier charges, filing fees, computer-assisted research, bond printing, and other related expenses. Generally these expenses will not exceed \$600. We will contact you prior to incurring expenses that exceed that amount.

Our statement for services and expenses will be sent after each particular issue of Bonds have been closed and is due and payable within thirty (30) days of receipt.

If, for any reason, you terminate the engagement on a particular issue of Bonds covered by this Agreement before closing a particular issue of Bonds are not issued for any reason, or the

Bonds are issued without the delivery of our Bond Opinion, we will bill you for the services rendered on your behalf up to that point. These services will be billed at the normal hourly rates for those attorneys and legal assistants who have performed such services. We will also then bill you for all expenses we have incurred as outlined above. My current hourly rate is \$315. Work performed by associates will be billed at \$220 per hour. Services performed on your behalf by legal assistants will be billed at \$120 per hour.

RECORDS

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retained by us after the termination of this engagement.

[THIS SPACE INTENTIONALLY LEFT BLANK]

APPROVAL

Please carefully review the terms and conditions of this Agreement. **If the above correctly reflects the terms of this engagement, please obtain approval by your governing body, and execute, date and return to me the enclosed copy of this Agreement. Please retain the original for your file.**

If you have questions regarding any aspect of the above or our representation as Bond Counsel, please do not hesitate to write or call.

It has been a pleasure to serve you in the past, and we look forward to our continued relationship.

Very truly yours,

R. Mark Cory
FOR THE FIRM

Accepted:

Council Bluffs, State of Iowa*

By: _____ Date: _____

*Approved by Motion or Resolution No. 18-85 of the governing body on March 12, 2018.

01452961-1\10342-146

R E S O L U T I O N
NO 18-85

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ENGAGEMENT
AGREEMENT RELATING TO THE GENERAL OBLIGATION BONDS, SERIES 2018A**

WHEREAS, the purpose of this Engagement Agreement is to disclose and memorialize the terms and conditions under which services will be rendered by Ahlers and Cooney, P.C. in its capacity as Bond Counsel, to the City of Council Bluffs, Iowa in connection with the issuance of General Obligation Bonds, Series 2018A.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

BE IT FURTHER RESOLVED

That the Mayor is hereby authorized, empowered, and directed to execute an Engagement Agreement relating to the General Obligation Bonds, Series 2018A.

ADOPTED
AND
APPROVED

March 12, 2018

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW 18-20
Submitted by: Matthew Cox, City Engineer

Resolution 18-86

Council Action: 3/12/2018

Description

Resolution accepting the bid of Hawkins Construction Company in the amount of \$7,699,072.68 for the West Broadway Reconstruction, Segment 2. Project # PW18-20.

Background/Discussion

On February 27, 2018, bids were received in the office of the city clerk as follows:

	<u>Division I</u> <u>General</u>	<u>Division II</u> <u>Pavement</u>	<u>Division III</u> <u>Storm</u> <u>Sewer</u>	<u>Division V</u> <u>Water</u> <u>Main</u>	<u>Division VI</u> <u>Traffic</u> <u>Signals</u>	<u>Division</u> <u>VIII</u> <u>Lighting</u>	<u>Division IX</u> <u>Streetscape</u> <u>Amenities</u>	<u>Total</u>
Hawkins Construction Company Omaha, NE	\$860,619.01	\$3,264,666.34	\$703,558.42	\$48,096.17	\$895,002.50	\$429,411.85	\$1,497,718.39	\$7,699,072.68
Chas. Vrana & Son Construction Co., Omaha, NE	\$1,169,720.25	\$3,053,846.00	\$895,193.50	\$31,000.00	\$926,472.80	\$435,903.00	\$1,618,462.30	\$8,130,597.80
Engineer's Opinion (HGM)	\$796,255.00	\$3,097,005.50	\$760,471.00	\$74,250.00	\$788,987.50	\$388,507.63	\$1,736,794.60	\$7,642,271.23

The Contract Documents for the project include a special provision for incentives and disincentives. If the maximum incentive of \$225,000 is earned by Hawkins, the project cost will be \$7,924,072.68. Approval of the resolution accepting the bid includes authorization for this incentive payment.

Segment 2 of the reconstruction project will completely rebuild West Broadway from 33rd Street to 28th Street including the replacement of pavement, traffic signals, street lights, sidewalks, and storm sewers with drainage improvements as a major objective. The project also includes streetscape amenities such as decorative pedestrian lights, brick paver bands behind the curbs and at intersections, ornamental fencing, ornamental arms for street lights, concrete pavers in crosswalks, decorative paving in the center turn lane and at key intersections, neighborhood masonry columns, and trees.

As a condition of the Transfer of Jurisdiction, Iowa DOT has provided \$20 million in funding for assuming ownership of the roadway previously identified as US-6. This project is included in the FY18 CIP with a revised budget of \$4,000,000 in IDOT funding and the balance in sales tax funds. The Iowa West Foundation has agreed to provide funding for the streetscape amenities which are estimated to be approximately \$1,635,000.

The project schedule is as follows:

Award	March 12, 2018
Construction Start	April 2018 (weather dependent)
Substantial Completion	December 21, 2018
Final Completion	February 15, 2019

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 18-86	Resolution	3/6/2018

RESOLUTION
NO 18-86

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH
HAWKINS CONSTRUCTION COMPANY, FOR THE
WEST BROADWAY RECONSTRUCTION, SEGMENT 2
PROJECT #PW18-20**

WHEREAS, the plans, specifications, and form of contract for the West Broadway Reconstruction, Segment 2 are on file in the office of the City Clerk; and

WHEREAS, a Notice of Public Hearing was published, as required by law, and a public hearing was held on January 22, 2018, and the plans, specifications and form of contract were approved; and

WHEREAS, Hawkins Construction Company has submitted a low bid in the amount of \$7,699,072.68 for this contract.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the bid of Hawkins Construction Company in the amount of \$7,699,072.68 is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with the West Broadway Reconstruction, Segment 2 and authorizes the maximum incentive payment of \$225,000 if the specified contract requirements are satisfied, resulting in a total project cost of \$7,924,072.68; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with Hawkins Construction Company for and on behalf of the City of Council Bluffs, upon approval by the City Attorney of the certificate of insurance and payment and performance bonds as required by the contract specifications.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED
AND
APPROVED

March 12, 2018

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community

Development

Case/Project No.:

Submitted by: Brandon Garrett

Resolution 18-88

Council Action: 3/12/2018

Description

Resolution accepting the work of Gracorp. Inc. in connection with the River's Edge Subdivision Improvements - Phase III, Part I, Piazza Improvements and authorizing the Finance Department to issue a City check in the amount of \$72,700.19. (Location: west of N 40th St)

Background/Discussion

A public hearing was held on January 11, 2016 on the plans and specifications for the River's Edge Subdivision Improvements – Phase III. Two bids were received from contractors in the City Clerk's office on February 4, 2016. Gracorp in the amount of \$1,420,156.75 and LG Roloff Construction is the amount of \$1,443,176.06. The engineer's estimate was \$1,431,150.

In February 2018, Gracorp, Inc. completed Phase III, Part I, Piazza Improvements, of this project per design specifications.

There were four change orders for this portion of the project. The final project financials can be summarized as follows:

Original contract amount	\$ 1,420,156.75
Change Order #1	\$ 40,199.80
Change Order #2	\$ -43,340.00
Change Order #3	\$ 4,586.50
Change Order #4	\$ 32,400.84
Final contract amount	\$ 1,454,003.89
Payments to date	\$ 1,381,303.70
Retainage Due to Contractor	\$ 72,700.19

The project engineer has inspected the work covered under this portion of the contract, finds the work complete and recommends the City accept the improvements.

Recommendation

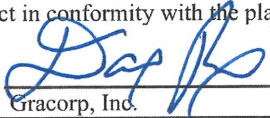
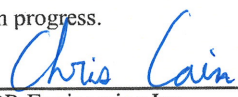
The Community Development Department recommends acceptance of the work by Gracorp, Inc. in connection with the River's Edge Subdivision Improvements – Phase III, Part I, Piazza Improvements and also authorization for the Finance Department to issue a final check in the amount of \$72,700.19 for the final retainage after 30 days if no claims are filed and all other contract requirements have been met.

ATTACHMENTS:

Description	Type	Upload Date
Rivers Edge Piazza January Pay App 1-31-18 Final Engineers Statement of Project Completion (3-12-18) CC	Other	3/2/2018
Resolution 18-88	Resolution	3/6/2018

PERIODIC COST ESTIMATE					Estimate No. 9 (FINAL)		
City of Council Bluffs Staff					Project No.		
					Page 1 of 6		
Project Description: River's Edge Development Phase III - Piazza Part One					Period Ending: 31-Jan-18		
Owner: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503			Contractor: Gracorp, Inc. 4403 S. 139th St. Omaha, NE 68137		Date of Estimate: 31-Jan-18		
					Percent Completion: 100%		
					Current Contract Amount: \$1,454,003.89		
					Estimated Completion: 30-Nov-16		
Item No.	Description	Unit	Unit Price (\$)	Quantities			Amount (\$)
				Contract	Actual	%	
					To Date		
Division I - General							
1	Mobilization	LS	\$129,000.00	1	1.00	100.00%	\$129,000.00
2	Silt Fence	LF	5.00	100	100	100.00%	\$500.00
3	Curb Inlet Protection	EA	350.00	2	2	100.00%	\$700.00
4	Grate Inlet Protection	EA	350.00	2	2	100.00%	\$700.00
5	Area Inlet Protection	EA	135.00	6	6	100.00%	\$810.00
6	Concrete Washout	EA	1,300.00	1	1	100.00%	\$1,300.00
7	Construction Entrance	EA	1,500.00	2	2	100.00%	\$3,000.00
8	Remove Temporary Fence	LF	1.75	1,490	1,490	100.00%	\$2,607.50
9	Remove Double Gate	EA	500.00	1	1	100.00%	\$500.00
10	ROW Monument	EA	250.00	9	9	100.00%	\$2,250.00
11	Miscellaneous Grading	LS	12,000.00	1	1	100.00%	\$12,000.00
12	Remove Flared End Section	EA	300.00	1	1	100.00%	\$300.00
13	Item Deleted						
X14	Remove Additional Access Road Rock	LS	6,442.30	1	1	100.00%	\$6,442.30
	Subtotal Division I - General						\$160,109.80
Division II - Pavement and Appurtenances							
1	Geotextile Fabric	SY	3.25	5,100	5,100	100.00%	\$16,575.00
2	6" Longitudinal Subdrain	LF	12.50	1,750	1,750	100.00%	\$21,875.00
3	6" Longitudinal Subdrain Outlet	EA	85.00	12	12	100.00%	\$1,020.00
4	6" Granular Subbase	TN	28.00	1,250	1,250	100.00%	\$35,000.00
5	6" Concrete Sidewalk	SF	6.00	8,760	8,760	100.00%	\$52,560.00
6	6" Concrete Sidewalk - Exposed Aggregate	SF	12.75	2,740	2,740	100.00%	\$34,935.00
7	7" Concrete Pavement	SY	42.00	3,167	3,167	100.00%	\$133,014.00
8	7" Concrete Pavement - Exposed Aggregate	SF	14.25	620	620	100.00%	\$8,835.00
9	Rollover Curb	LF	34.50	730	730	100.00%	\$25,185.00
10	6" Concrete Base	SF	6.00	6,140	6,140	100.00%	\$36,840.00
11	7" Concrete Base	SF	6.20	3,200	3,200	100.00%	\$19,840.00
12	Brick Pavement	SF	14.75	9,320	9,320	100.00%	\$137,470.00
13	6" Colored Concrete Sidewalk	SF	11.25	1,520	1,520	100.00%	\$17,100.00
14	Detectible Warning Panel	SF	40.00	224	224	100.00%	\$8,960.00
15	Adjust Manhole to Grade	EA	300.00	5	5	100.00%	\$1,500.00
16	Adjust Water Valve to Grade	EA	225.00	2	2	100.00%	\$450.00
X17	Brick Paver Edging	LF	14.86	275	275	100.00%	\$4,086.50
	Subtotal Division I - General						\$555,245.50
Division III - Storm Sewer Appurtenances							
1	Construct 18" R.C.P., Class III w/ O-Ring Joints and External Joint Wrap	LF	\$61.00	761	761	100.00%	\$46,421.00
2	Construct Slotted Drain with Collection Pipe	LF	195.00	460	460	100.00%	\$89,700.00
3	12" HDPE	LF	42.00	105	105	100.00%	\$4,410.00
4	Construct Curb Inlet	EA	3,250.00	6	6	100.00%	\$19,500.00
5	Construct Area Inlet	EA	1,650.00	2	2	100.00%	\$3,300.00
6	Construct Grate Inlet	EA	3,000.00	2	2	100.00%	\$6,000.00
7	Item Deleted		141				

PERIODIC COST ESTIMATE					Estimate No. 9 (FINAL)		
City of Council Bluffs Staff					Project No.		
					Page 2 of 6		
Project Description: River's Edge Development Phase III - Piazza Part One					Period Ending: 31-Jan-18		
Owner: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503			Contractor: Gracorp, Inc. 4403 S. 139th St. Omaha, NE 68137		Date of Estimate: 31-Jan-18		
					Percent Completion: 100%		
					Current Contract Amount: \$1,454,003.89		
					Estimated Completion: 30-Nov-16		
Item No.	Description	Unit	Unit Price (\$)	Quantities			Amount (\$)
				Contract	Actual	%	
					To Date		
8	Tap Existing Manhole	EA	625.00	2	2	100.00%	\$1,250.00
9	Construct 12" PCC Collar	EA	350.00	1	1	100.00%	\$350.00
10	Construct 18" PCC Collar	EA	350.00	2	2	100.00%	\$700.00
11	Construct 48" I.D. Manhole	VF	570.00	13	13	100.00%	\$7,410.00
12	Construct Rectangular Manhole	VF	1,075.00	9	9	100.00%	\$9,675.00
13	Rip Rap	TN	70.00	15.1	15.1	100.00%	\$1,057.00
14	Geotextile Fabric	SY	14.50	31.9	31.9	100.00%	\$462.55
15	Remove and Reset 18" R.C.P.	LF	50.00	24	24	100.00%	\$1,200.00
16	Perform Television Inspection	LF	1.80	864	864	100.00%	\$1,555.20
	Subtotal Division III - Storm Sewer Appurtenances						\$192,990.75
Division VI - Traffic Signalization							
1	Pavement Marking	LS	200.00	1	1	100.00%	\$200.00
	Subtotal Division VI - Traffic Signalization						\$200.00
Division VIII - Miscellaneous							
1	Electrical Duct - 1" Sch. 40 w/ 4#8 and 1#10G	LF	\$8.75	2,800	2,800	100.00%	\$24,500.00
2	Electrical Duct - 1 1/2" Sch. 40 w/ 4#8 and 1#8G	LF	9.75	75	75	100.00%	\$731.25
3	Electrical Duct - 1 1/4" Sch. 40 w/ 3#4 and 1#8G	LF	10.75	140	140	100.00%	\$1,505.00
4	Electrical Duct - 2" Sch. 40 w/ 3#1/0 and 1#8G	LF	17.75	450	450	100.00%	\$7,987.50
5	Conductors in Existing Duct - 4#250 KCMIL	LF	27.50	20	20.0	100.00%	\$550.00
6	Conductors in Existing Duct - 4#1 and 1#8G	LF	0.00				
7	Conductors in Existing Duct - 4#6 and 1#10G	LF	15.75	590	590.0	100.00%	\$9,292.50
8	Conductors in Existing Duct - 4#8 and 1#8G	LF	5.25	340	340	100.00%	\$1,785.00
9	Conductors in Existing Duct - 4#8 and 1#10G	LF	5.00	930	930.0	100.00%	\$4,650.00
10	Conductors in Existing Duct - 3#1/0 and 1#6G	LF	12.00	285	285	100.00%	\$3,420.00
11	Conductors in Existing Duct - 3#1/0 and 1#8G	LF	12.00	285	285	100.00%	\$3,420.00
12	Electrical Duct - 1" Sch. 40	LF	4.25	440	440	100.00%	\$1,870.00
13	Electrical Duct - 2" Sch. 40	LF	5.00	600	600	100.00%	\$3,000.00
14	Handhole	EA	1,215.00	6	6	100.00%	\$7,290.00
15	Item Deleted						
16	Lighting Controllor and Foundation	EA	6,450.00	1	1	100.00%	\$6,450.00
17	Item Deleted						
18	Item Deleted						
19	Streetlight w/Base - FP	EA	7,550.00	2	2	100.00%	\$15,100.00
20	Item Deleted						
21	Street Tree	EA	255.00	34	34	100.00%	\$8,670.00
22	Grasses - 1 Gallon Size	EA	10.00	420	420	100.00%	\$4,200.00
23	Amended Topsoil	CY	67.00	400	400	100.00%	\$26,800.00
24	Mulch	CY	37.00	25	25	100.00%	\$925.00
25	Irrigation	LS	16,400.00	1	1.00	100.00%	\$16,400.00
26	Native Grasses - Levee Top Mix w/ Plugs	SF	2.80	11,000	11,000	100.00%	\$30,800.00
27	Native Grasses	SF	0.30	7,060	7,060	100.00%	\$2,118.00
28	Standard Seeding	SY	0.25	3,733	3,733	100.00%	\$933.25
29	No-Mow Turf Grasses	SF	0.35	2,396	2,396	100.00%	\$838.60
30	Straw Mulch	SY	1.40	4,501.2	4,501.20	100.00%	\$6,301.68
31	Rolled Erosion Control Type 1.A	SY	1.40	266.22	266.22	100.00%	\$372.71
32	Planter Curb	LF	142 59.40	962	962	100.00%	\$57,142.80

PERIODIC COST ESTIMATE					Estimate No. 9 (FINAL)		
City of Council Bluffs Staff					Project No.		
Project Description: River's Edge Development Phase III - Piazza Part One					Page 3 of 6		
					Period Ending: 31-Jan-18		
Owner: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503			Contractor: Gracorp, Inc. 4403 S. 139th St. Omaha, NE 68137		Date of Estimate: 31-Jan-18		
					Percent Completion: 100%		
					Current Contract Amount: \$1,454,003.89		
					Estimated Completion: 30-Nov-16		
Item No.	Description	Unit	Unit Price (\$)	Contract	Quantities		Amount (\$)
					Actual	%	
33	Bollard - Fixed	EA	455.00	17	17	100.00%	\$7,735.00
34	Bollard - Retractable	EA	1,100.00	31	31	100.00%	\$34,100.00
35	Galvanized Steel Edging	LF	6.00	270	270	100.00%	\$1,620.00
36	Metal Tree Grate	EA	1,350.00	6	6	100.00%	\$8,100.00
37	Bike Rack	EA	350.00	5	5	100.00%	\$1,750.00
38	Item Deleted						
39	Trash Receptacle	EA	1,100.00	7	7	100.00%	\$7,700.00
40	Levee Gate and Posts	EA	3,900.00	1	1	100.00%	\$3,900.00
X41	Streetlight w/Base - SL (no wreath hanger/upper outlet)	EA	6,400.00	9	9	100.00%	\$57,600.00
X42	Pedestrian Light w/Base - PL (no wreath hanger/upper outlet)	EA	5,200.00	7	7	100.00%	\$36,400.00
X43	Streetlight Reduced Lumen w/ Base - SLR (no wreath hanger/upper outlet)	EA	6,625.00	8	8	100.00%	\$53,000.00
X44	Bench (w/o lights)	EA	3,800.00	16	16	100.00%	\$60,800.00
X45	Outlet Boxes and Pedestal	EA	1,725.00	4	4	100.00%	\$6,900.00
X46	Remove Rock and Regrade	LS	5,625.80	1	1.00	100.00%	\$5,625.80
X47	Remove and Replace Bollards	EA	2,634.75	5	5	100.00%	\$13,173.75
Subtotal Division VIII - Miscellaneous							\$545,457.84
I hereby certify that the work performed and the materials supplied to date, as shown above represent the actual value of completed work under the terms of this contract in conformity with the plans and specifications and are true and correct.  2/1/18 Gracorp, Inc. Date					Total Amount Completed Work to Date:		\$1,454,003.89
					Less Amount Retained (0%):		\$0.00
					Less Previous Payments to Contractor:		\$1,381,303.70
					Total Amount Now Due Contractor:		\$72,700.19
I hereby represent that the work has progressed to the point indicated on this application for payment and that to the best of my knowledge the quality of work is in accordance with the Contract Documents based upon on-site observations of the work in progress.  2/13/18 HDR Engineering Inc. Date					Breakdown of Materials Delivered:		
					Note:		

Contractor's Application For Payment No. 9 (FINAL)

	Application Period: 12/3/17 - 1/31/18	Application Date: January 31, 2018
To (Owner): City of Council Bluffs, Iowa	From (Contractor): Gracorp, Inc.	Via (Engineer): HDR Engineering Inc.
Project: River's Edge - Piazza Part One	Contract: River's Edge Dev. - Piazza Part One	
Owner's Bid No.:	Contractor's Project No.:	Engineer's Project No.: 247775

Application for Payment

Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
1	\$40,199.80	
2		\$43,340.00
3	\$4,586.50	
4	\$32,400.84	
TOTALS	\$77,187.14	\$43,340.00
NET CHANGE BY CHANGE ORDERS		\$33,847.14

1. ORIGINAL CONTRACT PRICE	\$	1,420,156.75
2. Net change by Change Orders	\$	33,847.14
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	\$	1,454,003.89
4. TOTAL COMPLETED AND STORED TO DATE		
a. Column F on Progress Estimate - Lump Sum Items	\$	169,668.10
b. Column F on Progress Estimate - Unit Price Items	\$	1,284,335.79
c. Total Progress Estimate (Line 4a + Line 4b)	\$	1,454,003.89
5. RETAINAGE:		
a. 0% x \$ 1,454,003.89 Work Completed & Materials Stored...	\$	0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$	1,454,003.89
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$	1,381,303.70
8. AMOUNT DUE THIS APPLICATION	\$	72,700.19
9. BALANCE TO FINISH, PLUS RETAINAGE		
(Column G on Progress Estimate + Line 5 above)	\$	0.00

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: D. Gale Date: 2/1/18

Payment of: \$ 72,700.19 (Line 8 or other - attach explanation of other amount)

is recommended by:

Chris Cain
(Engineer)

2/13/18
(Date)

Payment of: \$ _____
(Line 8 or other - attach explanation of other amount)

is approved by: _____ (Owner) _____ (Date)

RESOLUTION NO. 18-88

A RESOLUTION ACCEPTING THE WORK OF GRACORP, INC. IN CONNECTION WITH THE RIVER'S EDGE SUBDIVISION IMPROVEMENTS – PHASE III, PART I, PIAZZA IMPROVEMENTS AND AUTHORIZING THE FINANCE DEPARTMENT TO ISSUE A CITY CHECK IN THE AMOUNT OF \$72,700.19.

- WHEREAS,** the City of Council Bluffs, Iowa, entered into an agreement with Gracorp, Inc. for piazza improvements, associated with the River's Edge Subdivision within the City; and
- WHEREAS,** such improvements were required to accommodate the development of the subdivision; and
- WHEREAS,** the contractor has fully completed the construction of said Phase III, Part I Piazza Improvements, in accordance with the terms and conditions of their contract, plans and specifications filed with the City Clerk, along with all approved change orders; and
- WHEREAS,** a request for final payment in the amount of \$72,700.19 to Gracorp, Inc. has been submitted to the City Council for approval and payment; and
- WHEREAS,** final payment is due 30 days after acceptance of the work, assuming all other contract obligations have been met; and
- WHEREAS,** the City Council of the City of Council Bluffs has been advised and does believe that said \$72,700.19 constitutes a valid obligation of the City and should in its best interest be paid.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That said report of the engineer is hereby approved and adopted and the Phase III, Part I Piazza Improvements, are hereby accepted as having been fully completed in accordance with said plans and specifications.

BE IT FURTHER RESOLVED

That the Finance Department is hereby authorized and directed to issue a City check in the amount of \$72,700.19 payable to Gracorp, Inc. from budget code cost center Z21500-679916-00356.

ADOPTED
AND
APPROVED:

March 12, 2018

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Community

Development

Case/Project No.: WHTIP-18-004

Submitted by: Brenda Carrico

Resolution 18-89

Council Action: 3/12/2018

Description

Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and New Community Development Corporation for Workforce Housing Tax Incentive Program (WHTIP) benefits on multiple parcels. WHTIP-18-004

Background/Discussion

The State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18. The purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted towards middle-income households and that focus on the redevelopment or repurposing of existing structures. This program replaced the Housing Enterprise Zone Program.

To receive workforce housing tax incentives pursuant to the program, a proposed housing project shall include at least one of the following:

1. Four or more single-family dwelling units.
2. One or more multiple dwelling unit buildings each containing three or more individual dwelling units.
3. Two or more dwelling units located in the upper story of an existing multi-use building.

The average dwelling unit cost cannot exceed \$200,000 per dwelling unit or \$250,000 per dwelling unit if the project involves the rehabilitation, repair, redevelopment or preservation of eligible property. This limitation only applies to those costs that are directly attributable to the improvement of the property or the structures and is defined in the Iowa Administrative Code.

Additionally, the WHTIP requires a city match pledge for each housing project in an amount equal to at least \$1,000 per dwelling unit, in the form of cash, cash equivalent, a local property tax exemption, rebate, refund or reimbursement.

New Community Development Corporation has submitted a request for WHTIP benefits on six lots. The ranch style home for Susan Lane will have two bedrooms, two bathrooms, an unfinished basement and a two-car garage. The main floor will have 1,324 finished square feet and 1,288 of unfinished square feet in the basement. The homes at Walnut Grove will have three bedrooms, two bathrooms and no basements. Their approximate finished square feet will range from 1,209 finished square feet to 1,326 finished square feet.

The total project investment is \$865,721.00. The total financial workforce housing tax incentive available to the project is estimated to be between \$118,350.26 and \$121,778.16.

Based on review of the applicant's request, the project discussed above meets the requirements for Workforce Housing Tax Incentive Program benefits. As a result, the applicant is eligible for the following benefits: 10% investment tax credit and 100% rebate of state sales and utility use taxes.

The application fee of \$1,000 per dwelling unit will provide the \$6,000 needed to meet the local match requirement. Any final approval of this application is contingent upon the City receiving this cash for the project from the entity listed above.

(Location: 1) Lot 16, except the northwesterly 8 feet thereof, in Lot 3, Auditor's Subdivision of SE ¼ SE ¼ of Section 31-75-43 (generally located at 16 Susan Lane); 2) Lot 1, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); 3) Lot 3, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); 4) Lot 4, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); 5) Lot 5, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); and 6) Lot 7, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); all in the City of Council Bluffs, Pottawattamie County, Iowa.)

Recommendation

The Community Development Department recommends approval of the Workforce Housing Tax Incentive Program application submitted by New Community Development Corporation for:

- 1) Lot 16, except the northwesterly 8 feet thereof, in Lot 3, Auditor's Subdivision of SE ¼ SE ¼ of Section 31-75-43 (generally located at 16 Susan Lane);
- 2) Lot 1, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
- 3) Lot 3, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
- 4) Lot 4, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
- 5) Lot 5, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
- 6) Lot 7, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); all in the City of Council Bluffs, Pottawattamie County, Iowa.

ATTACHMENTS:

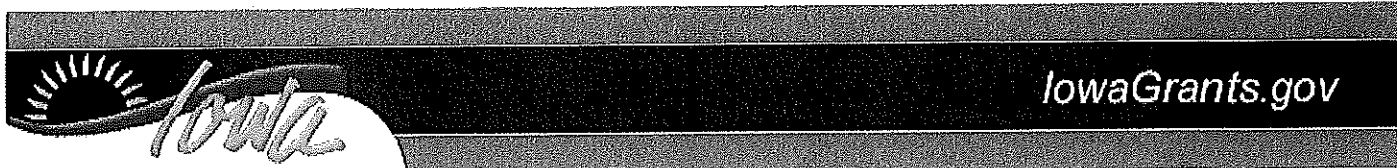
Description	Type	Upload Date
WHTIP-18-004 NCDC Application (3-12-18) CC	Other	3/2/2018
Resolution 18-89	Resolution	3/6/2018

Workforce Housing Tax Incentive Program



New Community Development Corporation WHTIP 18-004 March 2018

- 1) Lot 16, except the northwesterly 8 feet thereof, in Lot 3, Auditor's Subdivision of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31-75-43 (generally located at 16 Susan Lane);
- 2) Lot 1, Walnut Grove Subdivision (generally located at North 29th Street & Avenue J);
- 3) Lot 3, Walnut Grove Subdivision (generally located at North 29th Street & Avenue J);
- 4) Lot 4, Walnut Grove Subdivision (generally located at North 29th Street & Avenue J);
- 5) Lot 5, Walnut Grove Subdivision (generally located at North 29th Street & Avenue J);
and
- 6) Lot 7, Walnut Grove Subdivision (generally located at North 29th Street & Avenue J)



Application

95226 - Workforce Housing Tax Incentive Program

249404 - Walnut Grove & Susan Lane
Workforce Housing Tax Credits

Status: Submitted
Signature: Cherie Scott

Submitted Date: 2018-02-21 04:37:27
Submitted By: Cherie Scott

Applicant Information

Project Officer

AnA User Id: CHERIE.SCOTT@IOWAID
First Name: Cherie Middle Name: Scott Last Name: Scott
Title:
Email: cscott@nwhomesolutions.org
Address: 222 South 6th Street

City: Council Bluffs Iowa 51501
City State/Province Postal Code/Zip
Phone: 712-256-6427
Phone Ext.

Program Area of Interest: Workforce Housing Tax Credits
Fax: 402-451-2595

Organization Information

Organization: New Community Development Corporation
Name: dba NeighborWorks Home Solutions
Organization Type: Non-Profit Organization
DUNS:
Organization Website: http://www.neighborworkshomesolutions.org/
Address: 222 S 6th St

City: Council Bluffs Iowa 51501
City State/Province Postal Code/Zip
Phone: 402-451-2939
Phone Ext.
Fax: 402-451-2595

Cover Sheet-General Information

Authorized Official

Name: Marvin O. Kieckhafer
Title: Chair, Board of Directors
Organization: New Community Development Corporation dba NeighborWorks Home Solutions
If you are an Individual, please provide your First and Last Name.
Address: 222 South 6th Street

City/State/Zip: Council Bluffs Iowa 51501
City State Zip

Telephone Number: 402-451-2939
E-Mail: MOK@smithpeterson.com

Fiscal Officer/Agent

Please enter the "Fiscal Officer" for your Organization.

If you are an individual, please provide your First and Last Name.

Name* Marvin O. Kieckhafer
Title Chair, Board of Directors
Organization New Community Development Corporation dba NeighborWorks Home Solutions
Address 222 South 6th Street

City/State/Zip Council Bluffs Iowa 51501
City State Zip
Telephone Number 402-451-2939
E-Mail MOK@smithpeterson.com
County(ies) Participating, Involved, or Affected by this Proposal* Pottawattamie County
Congressional District(s) Involved or Affected by this Proposal* 3rd - Rep David Young (R)
Congressional Map
Iowa Senate District(s) Involved or Affected by this Proposal* 8
District Map
Iowa House District(s) Involved or Affected by this Proposal* 15
District Map

Applicant Information

Applicant Name: (legal entity applying for award)* New Community Development Corporation

Mr. **Marvin** **Kieckhafer**
Salutation Contact First Name Contact Last Name

Chair, Board of Directors
Contact Title

222 South 6th Street
Address

Council Bluffs **Iowa** **51501**
City State Zip Code

712-256-6427 **MOK@smithpeterson.com**
Phone E-mail

Non-Profit Organization
Entity Type

464136 **47-0754453**
Iowa Secretary of State business number Federal Taxpayer ID number

Contact Information

Elected Official **Council Bluffs**
City or County

Mr. **Matthew** **Walsh**
Salutation First Name Last Name Suffix

Mayor
Title

209 Pearl Street
Address

Suite 104
Address 2

Council Bluffs

Iowa

51503

City

State

Zip +4

712-328-4601

mwals@councilbluffs-ia.gov

Phone

Fax

E-mail

Local Sponsor/Contact

Mr.

Brandon

Garret

Salutation

First Name

Last Name

Suffix

Director, Community Development Department
Title

209 Pearl Street
Address

Address 2

Council Bluffs

Iowa

51501

City

State

Zip +4

712-328-4629

712-328-4915

bgarrett@councilbluffs-ia.gov

Phone

Fax

E-mail

Project Information

Project name or alias: Walnut Grove & Susan Lane

Project Address WG Block 9 Lots 1,3,4,5,7 & 16 Susan Lane
Address

Council Bluffs

Iowa

Pottawattamie County

51503

City

State

County

Zip Code

Is the project seeking Low
Income Housing Tax
Credits (LIHTC)?

No

If yes, please indicate the
amount of LIHTC eligible
basis:

\$0.00

Eligible projects under the Workforce Housing Tax Incentive Program must fall into one of four categories.

Category of proposed
project:

Rehabilitation, repair, or redevelopment at a brownfield or grayfield site that results in new dwelling units. (Infill Development)

Has the IEDA designated
the community where the
project will take place as a
distressed workforce
housing community?

Yes

Please provide a brief
description of the
proposed housing
development project:
(500 character limit)

New Community Development Corporation acquired 1 of the 6 lots from the City of Council Bluffs. The other 5 lots are part of the Walnut Grove Subdivision that NCDC purchased from the local School District. Atlas Construction will build 5 homes and IWCC, who build 1 Infill home a year for NCDC, will build the 6th home. Three of the homes will be built for low to moderate income families, according to HUD Income Guidelines, utilizing the Infill Program.

Describe why assistance
through the Workforce
Housing Tax Credit

New Community Development Corporation assists with the building of new homes for low to moderate income families looking to purchase their first home. With the current average home cost at approximately \$170,000, the low to moderate families are not able

program is needed for the project to proceed.
(500 character limit)

to purchase homes without any assistance due to their income level. We provide newly built homes for an average purchase price of \$135,000 and with a \$20,000 down payment assistance grant these families are finally able to become homeowners.

Describe why the current housing market is not meeting the community's housing needs?
(500 character limit)

In Council Bluffs, 26.8% of households spend 30% or more of their income on a mortgage. With a depletion on quality affordable homes in CB these families are often forced to make trade-offs between cost, location, home quality, and neighborhoods. This places an excessive financial burden on the families. By building new quality homes specifically for low to moderate income families we will be helping not only the families but the community as well.

When completed and available for occupancy, will the units meet the United States Department of Housing and Urban Development's housing quality standards and all applicable

safety standards? Yes

Does the project include local matching funds for the project in an amount equal to at least \$1,000 per dwelling

unit to be developed? Yes

Type of local match: Cash

Does the project involve rehabilitation, repair, redevelopment or preservation of a historic property as defined in Iowa Code Section 404A.1(2)?

No

Proposed end date of project:

06/17/2019

The proposed project MUST be completed within three (3) years from date the project is registered by IEDA.

Units

Housing Activity	Housing Activity	Unit Type	Unit Ownership	# of Units In Project
Activity #1	Rehabilitation, repair, or redevelopment at a brownfield or grayfield site that results in new dwelling units. (Infill Development)	Single Family Detached	Owner Occupied	6
Activity #2				
Activity #3				
Activity #4				
Totals				6

WHTC-Budget

Total Tax Credit Award Amount \$0.00

Project Expenditures (RESIDENTIAL ONLY)

Expense	Expense Amount
Building Acquisition	\$0.00
Land Acquisition	\$0.00
Site Development (including demolition)	\$12,000.00
Construction (materials only)	\$529,636.00

Construction (labor and operations)	\$290,985.00
Architect/Engineer Fees	\$5,900.00
Building Permits and Fees	\$12,200.00
Construction Loan Interest	\$15,000.00
Total	\$865,721.00

Cash Sources (UP-FRONT FUNDS ONLY)

Source	Amount	Status
WHTC Equity (Tax Credit Equity Only)	\$0.00	
LIHTC Equity (Tax Credit Equity Only)	\$0.00	
Historic Tax Credit Equity (State Tax Credit Equity Only)	\$0.00	
Historic Tax Credit Equity (Federal Tax Credit Equity Only)	\$0.00	
Brownfield/Grayfield Credit (Tax Credit Equity Only)	\$0.00	
HOME (Loan)	\$0.00	
HOME (Grant or Forgivable Loan)	\$0.00	
FHLB Affordable Housing Program (Loan)	\$0.00	
FHLB Affordable Housing Program (Grant or Forgivable Loan)	\$0.00	
USDA-RD (Loan)	\$0.00	
USDA-RD (Grant or Forgivable Loan)	\$0.00	
Local Match (Loan)	\$0.00	
Local Match (Grant or Forgivable Loan)	\$0.00	
Local Match (Property Tax Abatement or Refund)	\$0.00	
Local Match (In-kind)	\$0.00	
Developer (Cash or Equity)	\$574,920.00	Committed
Private Lender (Loan)	\$290,801.00	Committed
All Other Public Sources (Loan)	\$0.00	
All Other Public Sources (Grant or Forgivable Loan)	\$0.00	
Total	\$865,721.00	

Estimated Amount of Assistance

Source	Option A	Option B
Workforce Housing Tax Credit*	\$86,572.10	\$90,000.00
Sales Tax Refund (on materials only)	\$31,778.16	\$31,778.16
Total Estimated Workforce Housing Incentives:	\$118,350.26	\$121,778.16

Requested Award

Cost per Unit

NOTE: per unit cost cannot exceed \$200,000 per unit or \$250,000 per unit if project involves historic property as defined in Iowa Code Section 404A.1(2).

Sub-Total Residential Costs \$865,721.00
(from above)

Number of Units: 6

Cost per Unit: \$144,286.83

Is the applicant requesting a Sales Tax Refund for the project? Yes

If yes, is the applicant requesting a Sales Tax Refund for the project in an amount less than what is shown above (Estimated amount)? No

If Yes, enter revised amount requested: \$0.00

Is the applicant requesting Workforce Housing Tax Incentive Credits for the project? Yes

If yes, is the applicant requesting a Workforce Housing Tax Incentive for the project in an amount less than what is shown above (Estimated amount)? No

If Yes, enter revised amount requested: \$0.00

Acknowledgement

I understand amounts calculated are estimates based on initial application information provided to IEDA. Amounts of assistance estimated are maximum amounts and could be less depending on final project costs. Award amounts under the Workforce Housing Tax Incentive Program will not be increased should project costs increase.

I understand:* Yes

I understand compliance fees imposed in Iowa code Section 15.330(12) shall apply to all Workforce Housing Tax Incentive Program agreements.

I Understand:* Yes

Required Attachments

Attachment	Description	File Name	Type	File Size
Resolution in support of the housing project by the community where the housing project will be located:				
Documentation of local match to project:				
Documentation of all secured funding sources for the project:	Funding Sources	Funding Source.pdf	pdf	290 KB
Project map:	Site Maps	Project Maps.pdf	pdf	2.3 MB
Affidavit stating the Business has not, within the last 5-years, violated state or federal environmental and worker safety statues, rules, and regulations: Download a sample affidavit here	WHTIP Affidavit	Workforce Housing Tax Credit Affidavit.pdf	pdf	401 KB

Attachment 1

- **City Council Resolution**
(including documentation of local match)

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS AUTHORIZING A JOINT APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA) BY THE CITY OF COUNCIL BLUFFS AND NEW COMMUNITY DEVELOPMENT CORPORATION FOR WORKFORCE HOUSING TAX INCENTIVE PROGRAM (WHTIP) BENEFITS.

- WHEREAS,** the State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18; and
- WHEREAS,** the purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted at middle-income households and that focus on the redevelopment or repurposing of existing structures; and
- WHEREAS,** New Community Development Corporation proposes to construct six single-family units and has requested WHTIP benefits; and
- WHEREAS,** the projects are eligible for WHTIP under the category of “new construction, rehab, repair, or redevelopment of dwelling units in a distressed workforce housing community (Greenfield Development);” and
- WHEREAS,** the legal descriptions of the project locations are:
- 1) Lot 16, except the northwesterly 8 feet thereof, in Lot 3, Auditor’s Subdivision of SE ¼ SE ¼ of Section 31-75-43 (generally located at 16 Susan Lane);
 - 2) Lot 1, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 3) Lot 3, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 4) Lot 4, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 5) Lot 5, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 6) Lot 7, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); all in the City of Council Bluffs, Pottawattamie County, Iowa; and
- WHEREAS,** the average dwelling unit cost equals the costs directly related to the housing project divided by the total number of dwelling units in the housing project and does not exceed \$200,000 per dwelling unit; and
- WHEREAS,** the developer certifies that their units when completed and made available for occupancy will meet the U.S. Department of Housing and Urban Development’s housing quality standards and all applicable local safety standards; and
- WHEREAS,** the City of Council Bluffs commits to local matching funds of \$1,000 cash per dwelling unit, as required by the program; and
- WHEREAS,** after review and consideration of the request, the City of Council Bluffs has determined that the New Community Development Corporation project meets the requirements to qualify for benefits.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

Section 1.0 The City Council declares New Community Development Corporation an eligible entity for WHTIP benefits.

Section 2.0 The City Council approves the New Community Development Corporation request for a 10% state investment tax credit and a 100% rebate of sales and utility use taxes subject to the entity entering into an agreement with the City. The tax credit, if not entirely used during the first year, can be carried over and applied against state tax liability for the next seven years or until depleted, whichever occurs first.

Section 3.0 The Mayor is hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution.

Section 4.0 The provisions of this resolution shall be governed by the laws of the State of Iowa.

Section 5.0 That all resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

Section 6.0 That the provisions of this resolution are hereby declared to be separable and if any section, phrase, or provision shall be any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

Section 7.0 That the approval of any and all WHTIP benefits is contingent upon New Community Development Corporation meeting all other applicable City codes and ordinances.

Section 8.0 That this resolution shall become effective immediately upon its passage and approval.

ADOPTED
AND
APPROVED: _____, 2018

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

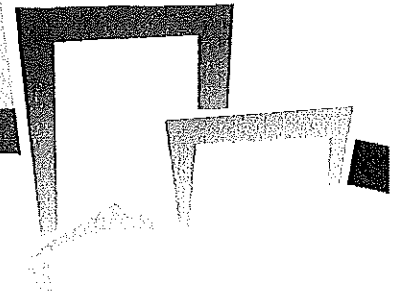
STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, 2018, before me the undersigned, a Notary Public in and for said County and State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State

Attachment 2

- Documentation of Secured Funding Sources



21 February 2018

Re: Intent to Use Developer Equity

This letter is to confirm NeighborWorks Home Solutions intent to use developer equity as a source of funding for the following six homes:

16 Susan Lane
Block 9 Lot 1, 3, 4, 5, & 7 Walnut Grove Subdivision

Sincerely,

A handwritten signature in black ink, reading "Marvin O. Kieckhafer". The signature is written in a cursive, flowing style.

Marvin O. Kieckhafer
Chair, Board of Directors



June 30, 2017

New Community Development Corporation
DBA Neighbor Works Home Solutions
222 S 6th St.
Council Bluffs, IA 51501

Dear New Community Development Corporation:

American National Bank is happy to inform you that we have approved your loan request for financing the construction of the homes located at 2815 Ave A, 908 5th Ave, and 16 Susan Lane, Council Bluffs, Iowa. The following are the terms of the credit we are proposing for your review.

Borrower: New Community Development Corporation

Loan Amount: 85% of "As Completed" Internal Evaluation.

Purpose: Construction of 1-4 family homes in Council Bluffs, Iowa.

Interest Rate: 5.50% variable rate based upon the Wall Street Journal Prime with a margin of 1.25%

Amortization/Repayment: 12 month maturity date and monthly interest payments.

Collateral: American National Bank will be secured by a first Construction Mortgage on the properties listed above.

Fees & Closing Costs:

A loan origination fee of 0.5% of the loan amount will be due at closing. This fee will cover the cost of the internal evaluation of the collateral to be completed by the Bank. You will also be responsible for all hard costs associated with the establishment of the loan. These expenses will include title insurance, flood certification and filing fees.

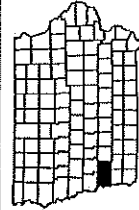
Please feel free to call me with any questions in regard to this proposal. Your business is truly appreciated.

Sincerely,

Rick L. Killion
Market President

Attachment 3

- Project Maps and House Plans



The school is no longer there.



956 ■ 956

PorterWatts County GIS

223 S. 6th St.

Council Bluffs, IA 51501
City 313 4405

800-452-7317
ajis@ajis.com

<http://gis.polkcounty.com>

1
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4
5
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7
8
9
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11
12

MS# 145862-2/21/20

[illegible]

Map Published: 2/27/2018

Google Maps Walnut Grove Block 9 Lots 1, 3, 4, 5, & 7



Imagery ©2018 Google, Map data ©2018 Google 100 ft

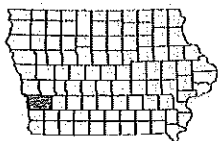


DISCLAIMER

This map is prepared and compiled from City documents, plans, and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map or the maps of the same by the user or anyone else. The user should verify the accuracy of information data contained on this map before use. The City assumes no legal responsibilities for the information contained on this map.



CITY OF COUNCIL BLUFFS - WHTIP LOCATION MAP

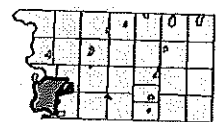


Iowa Counties Map

Legend

Subject Property
(Lot 16, except the northwesterly 8 feet thereof, in Lot 3 Auditor's Subdivision of SE1/4 SE1/4 of Section 31-75-43)

 **Parcels**

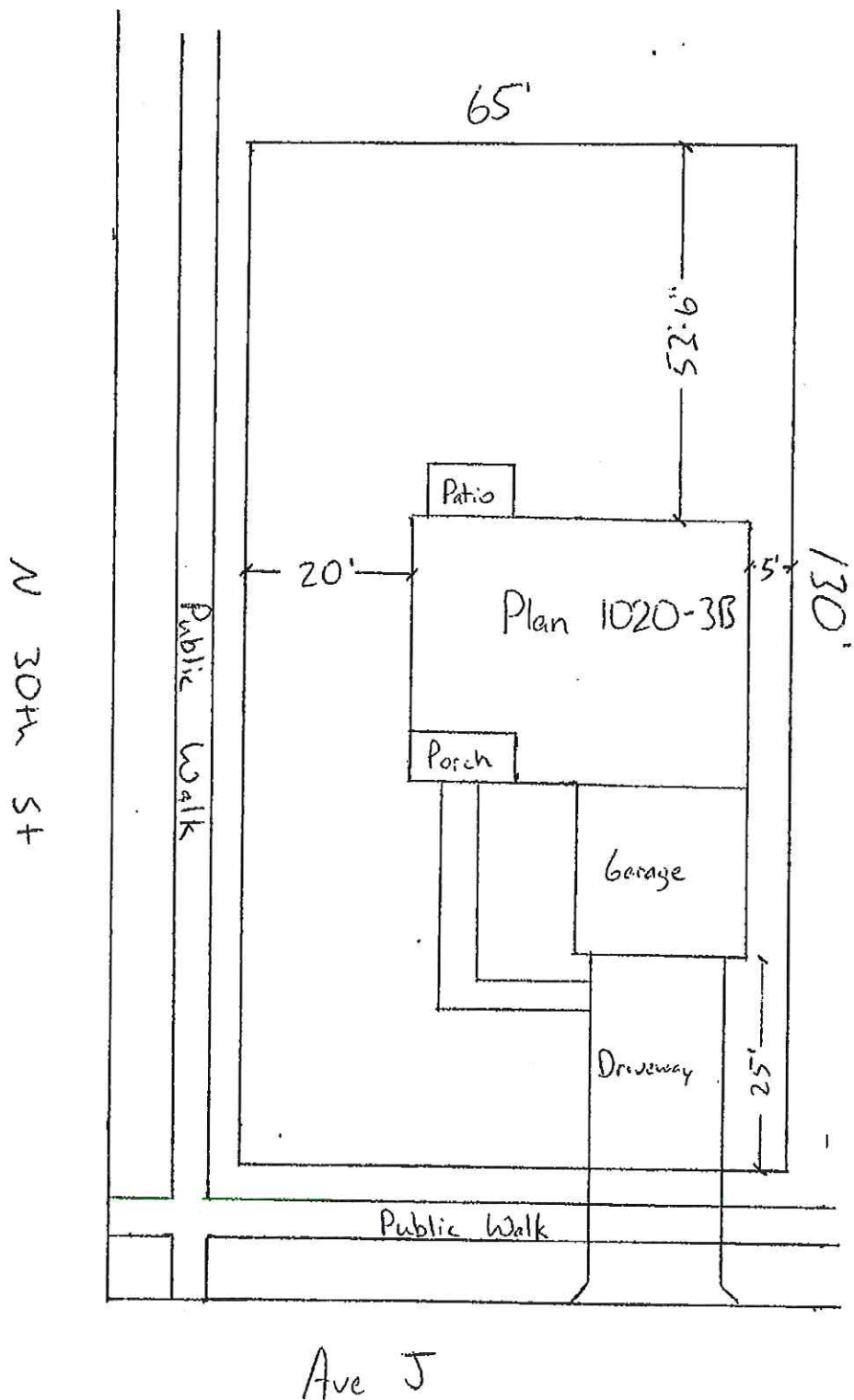


Pottawattamie County Map

Council Bluffs Community Development Dept.
209 Pearl Street, Council Bluffs, IA 51503
Telephone: (712) 328-4629

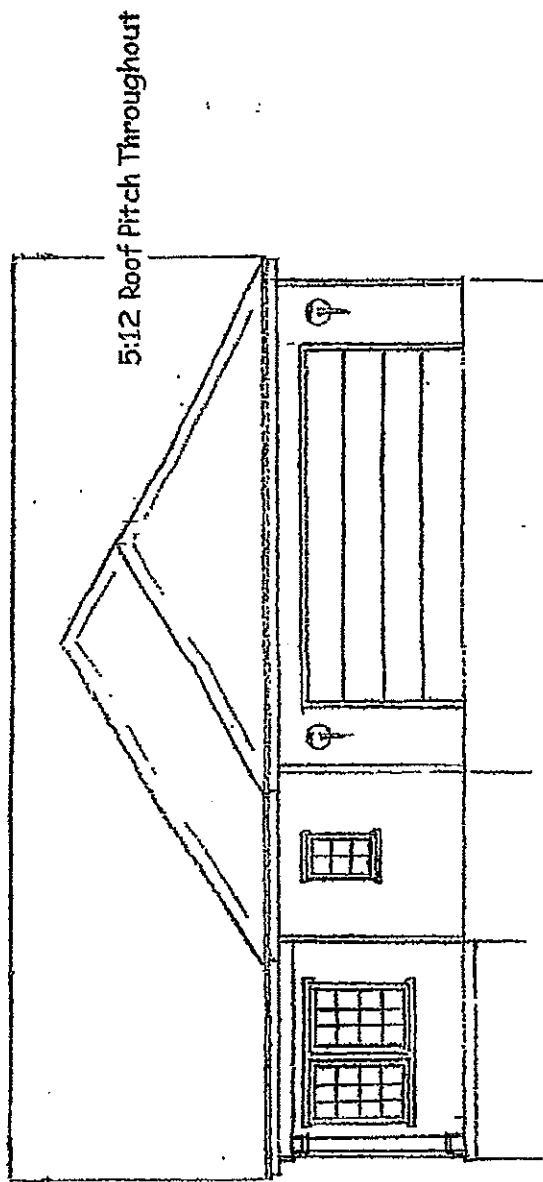
Last Amended: 7/12/17

Legal: Lot 1, Walnut Grove Subdivision
Council Bluffs, IA



8 1/2 x 11 Package Num. are:
1 2 3 4 5 6 7 8 9 10 11 12
(Most current issue is circled)

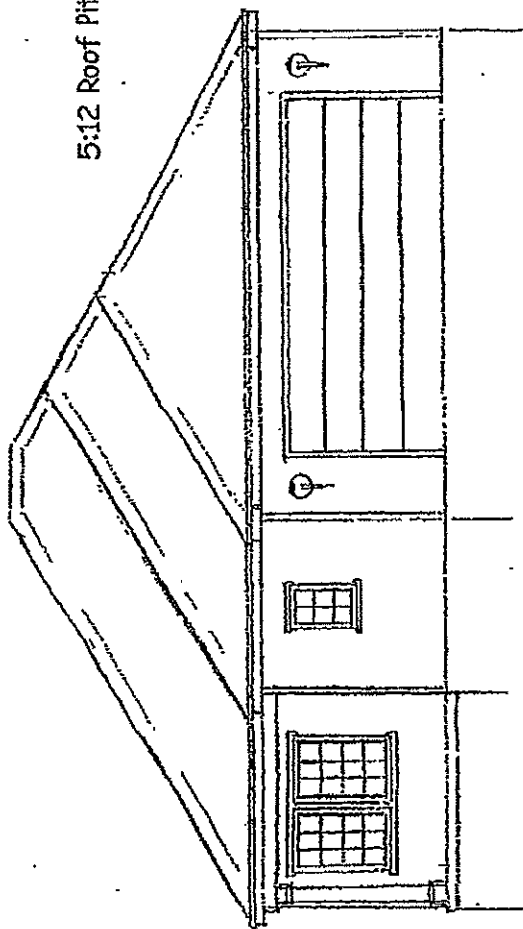
LOT 1



FLAT-IRON, INC / PLAN 1020-3B / ELEVATION 'A'

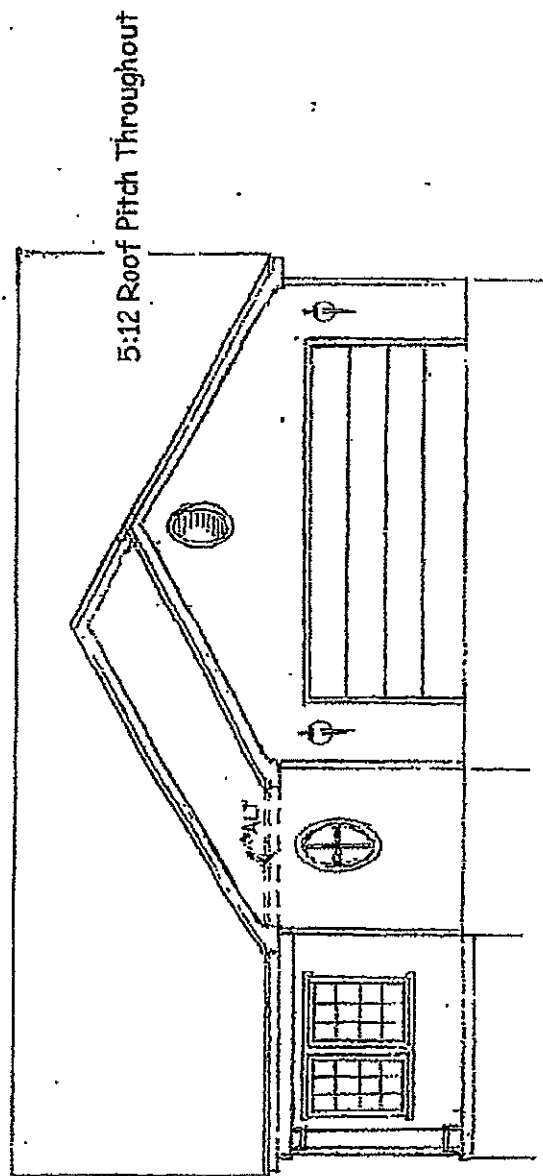
1326 SQ FT - 3 BEDROOM - NO BSMT - 2 FULL BATHS

5:12 Roof Pitch Throughout



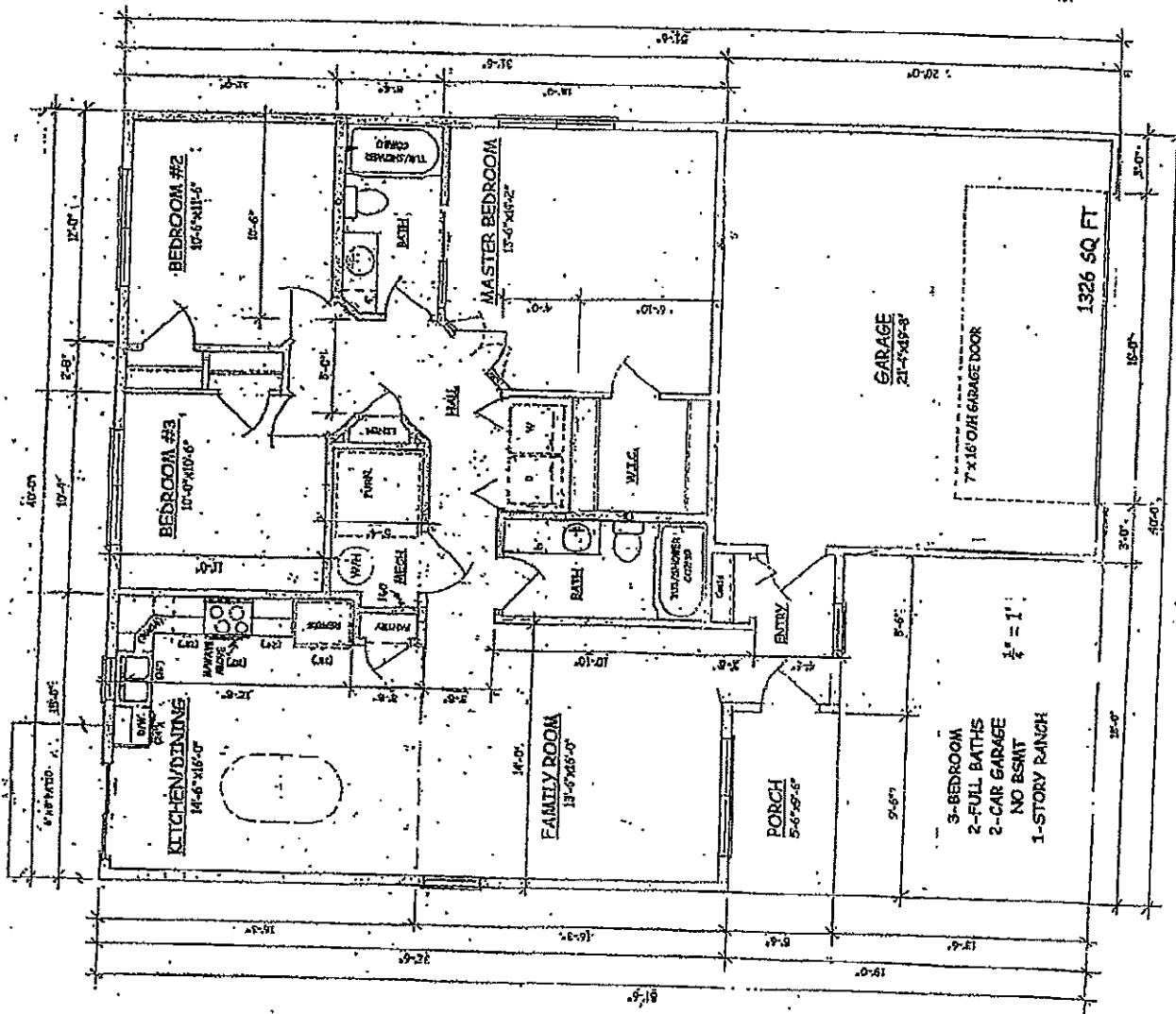
FLAT-IRON, INC / PLAN 1020-3B / ELEVATION 'B'

1326 SQ FT - 3 BEDROOM - NO BSMT - 2 FULL BATHS

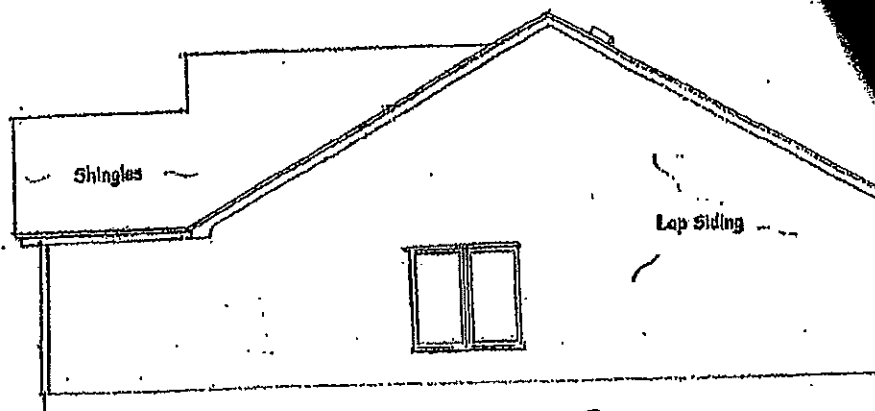


FLAT-IRON, INC / PLAN 1020-3B / ELEVATION 'C'

1326 SQ FT - 3 BEDROOM - NO BSMT - 2 FULL BATHS



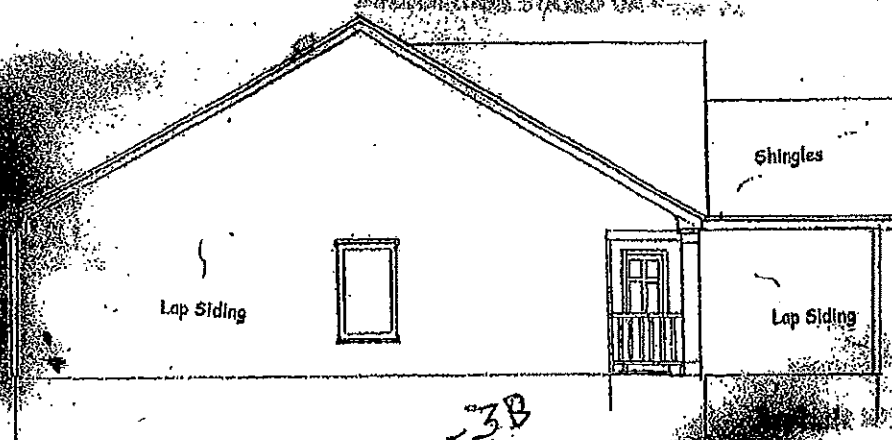
5:12 PITCH



PLAN 1020-3B

RIGHT ELEVATION

5:12 PITCH

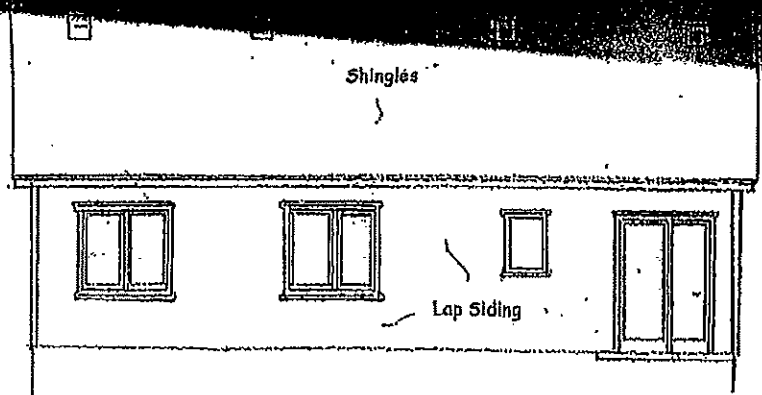


PLAN 1020-3B

Porch Roof Included in Main Roof
to elevate porch roof to main roof level

LEFT ELEVATION

5:12 PITCH



PLAN: 1020-3B

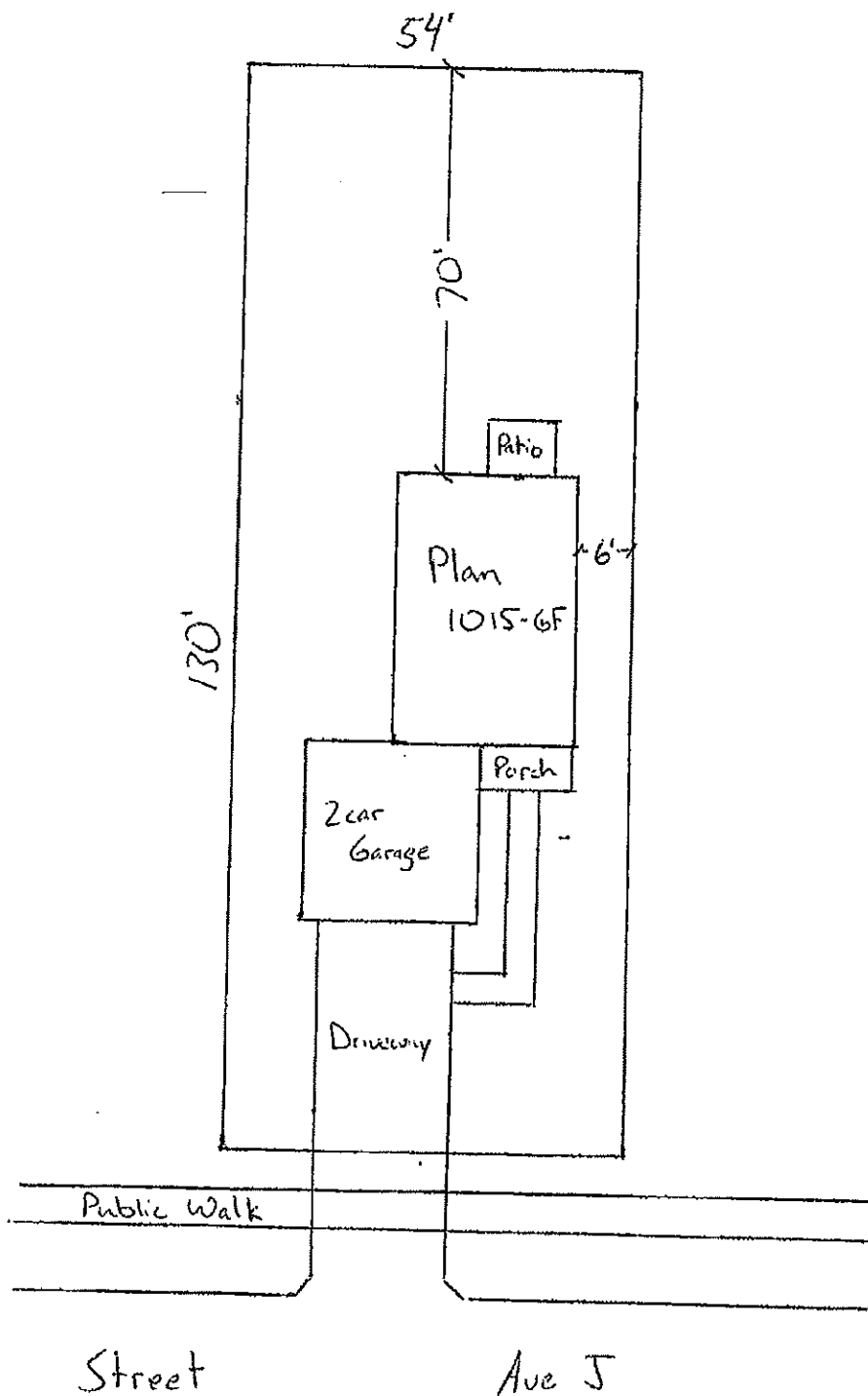
REAR ELEVATION

DOORWAYS SHOWN TO AVOID ANCHOR BOLT PLACEMENT

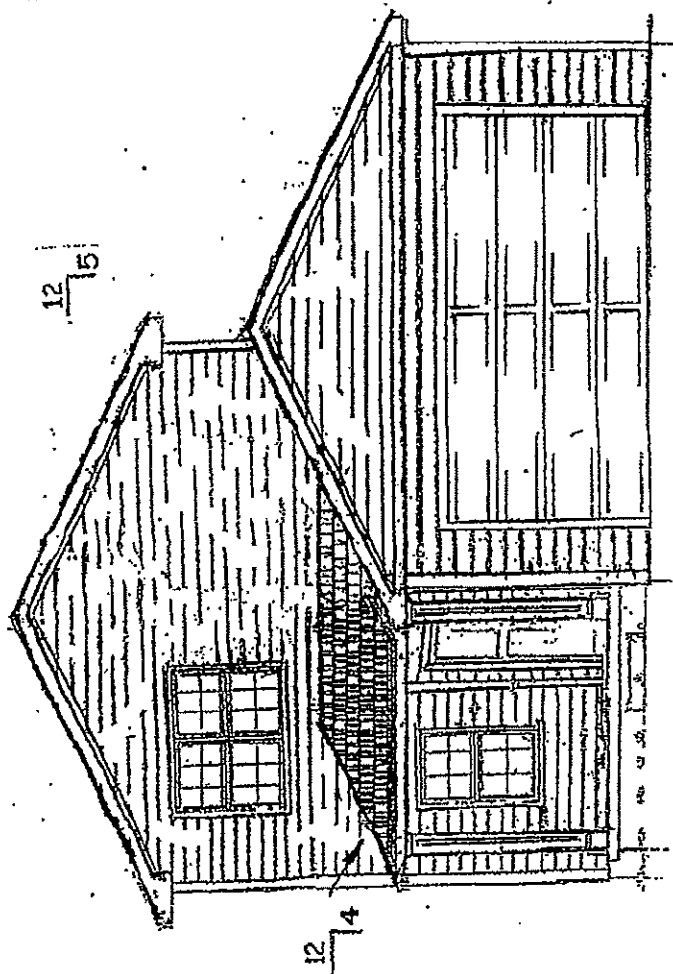
CONCRETE FOUNDATION TO BE CONSTRUCTED
WITH ADDED FOAM SHEATHING MATERIAL,
UTILIZING THERMAL-BREAK PROCEDURES



Legal: Lot 3, Walnut Grove Subdivision
Council Bluffs IA



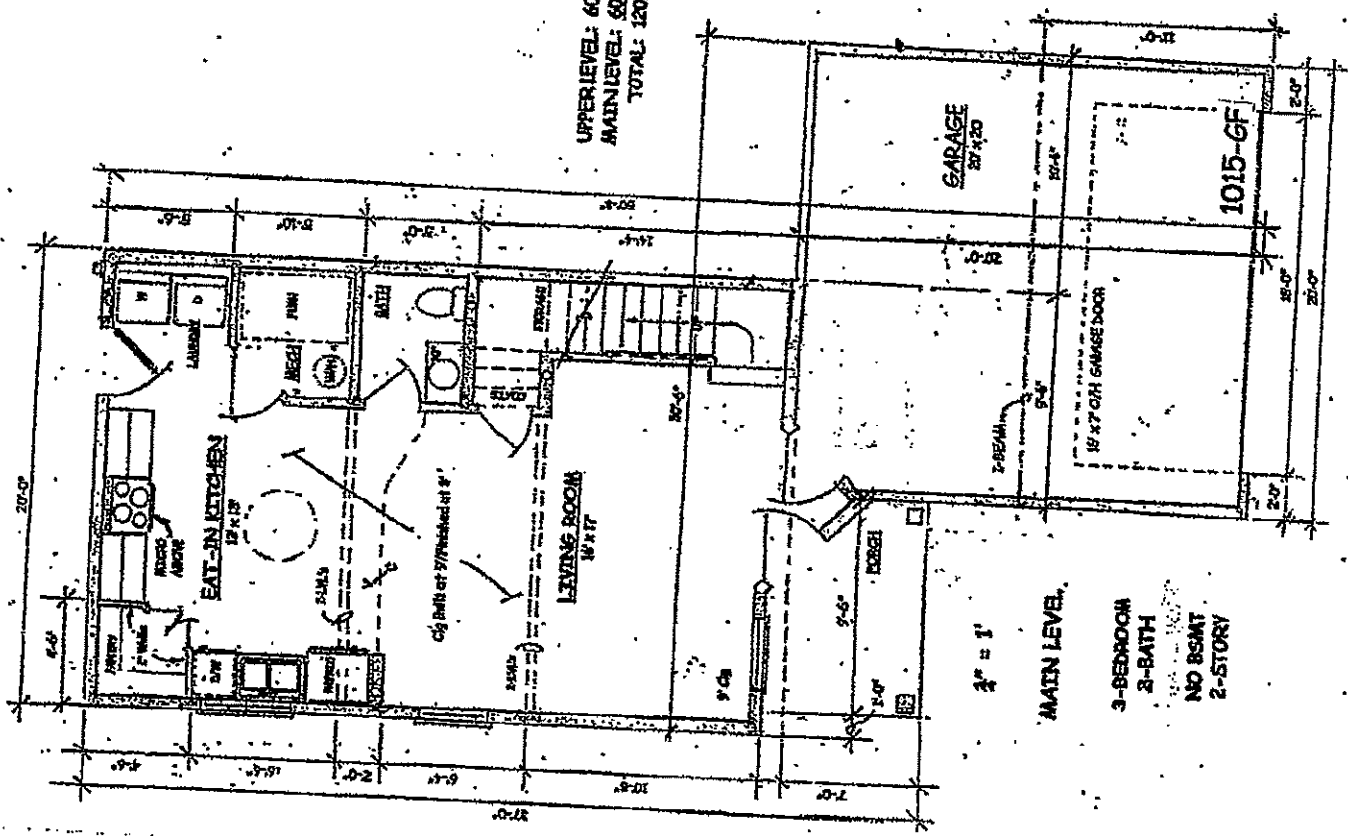
NOTE THIS REVISION
CANCELS
PLAN 1015 - 3B6F



FLAT-IRON, INC / PLAN 1015-GF / ELEVATION 'C'
1209 SQ FT - 3 BEDROOM - NO BSMT - 2 BATH AREAS - FRONT GARAGE

NOTE: THIS REVISION
CANCELS
 PLAN 1015 - 3BGF

UPPER LEVEL: 600 SQ. FT.
 MAIN LEVEL: 609 SQ. FT.
 TOTAL: 1209 SQ. FT.

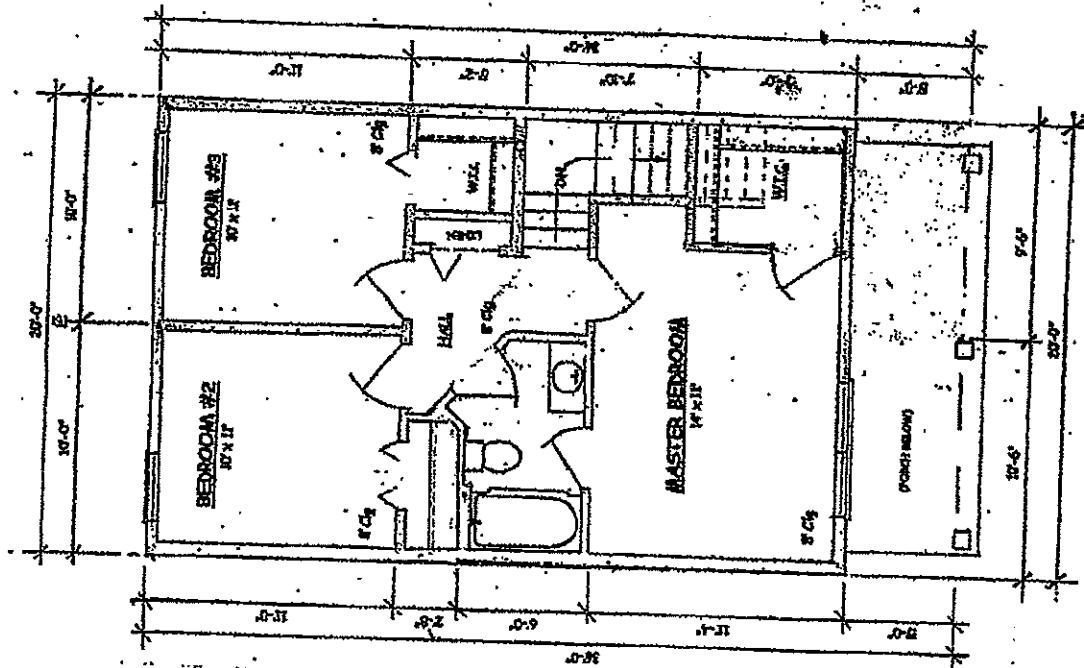


1" = 1'
 MAIN LEVEL
 3-BEDROOM
 2-BATH
 NO BSMT
 2-STORY

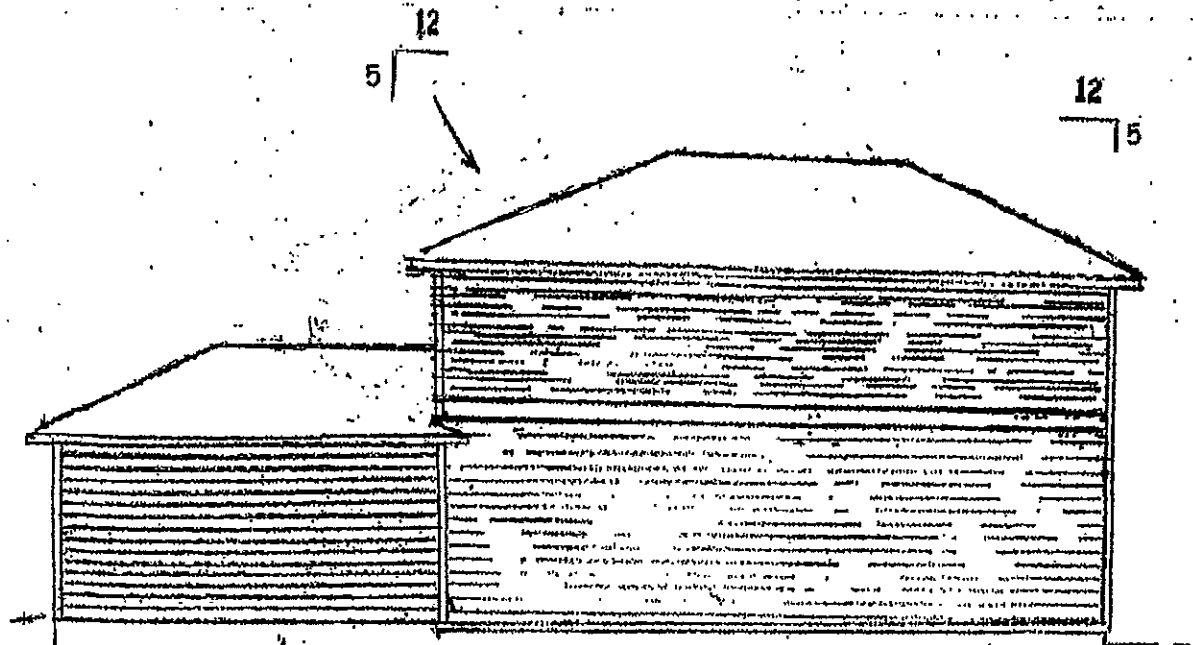
1015-GF

PLAN 1015 - 3BGF

UPPER LEVEL 1015-GF



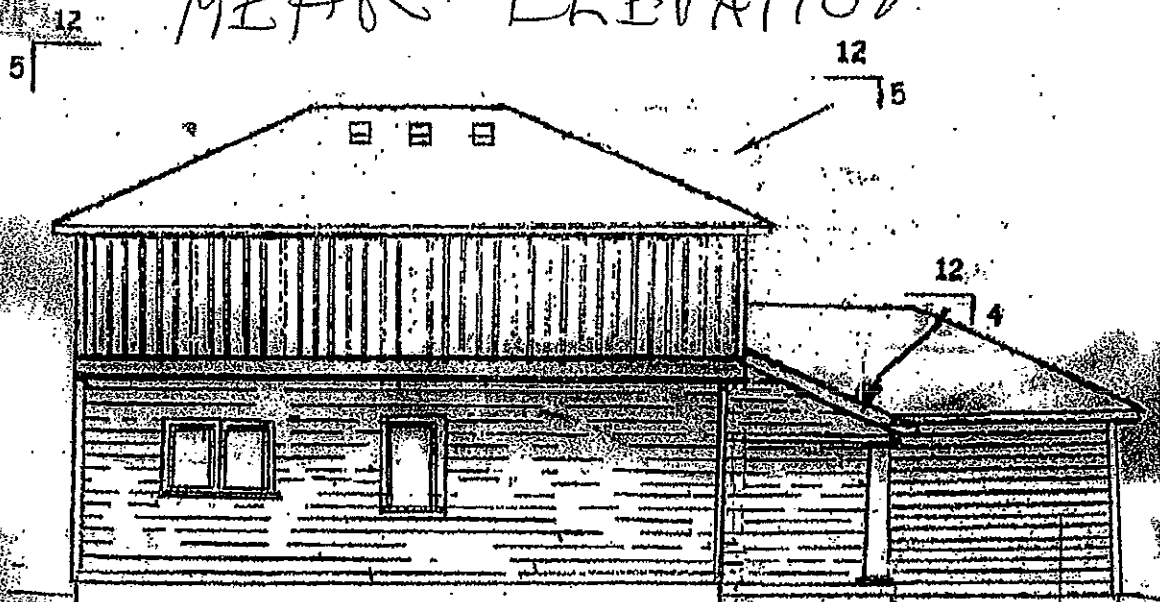
pg 3



PLAN 1015 GF
(8 1/4" Banding w/5 1/4" Upper Lap & 8 1/4" Lower Lap)

RIGHT ELEVATION

REAR ELEVATION

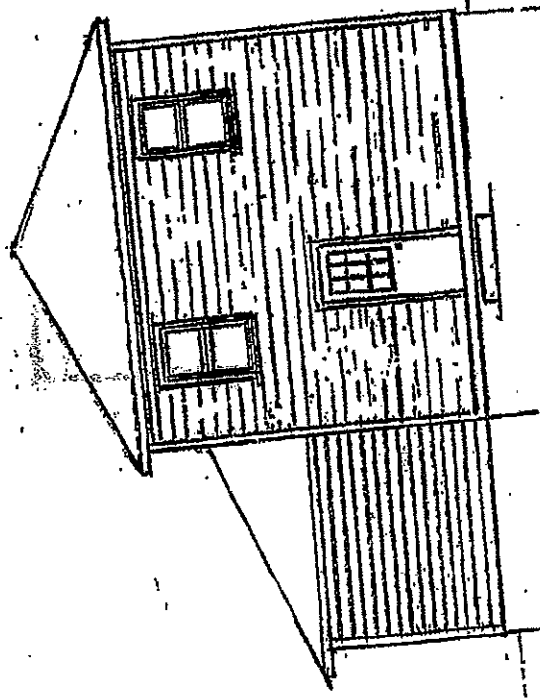


PLAN 1015 GF
(8 1/4" Banding w/Vert-8" Repeat & 8 1/4" Lower Lap)

(8 1/2" Banding w/ Vent 8" Round 6 1/2" Lower Lap)

ELEVATION

12 5

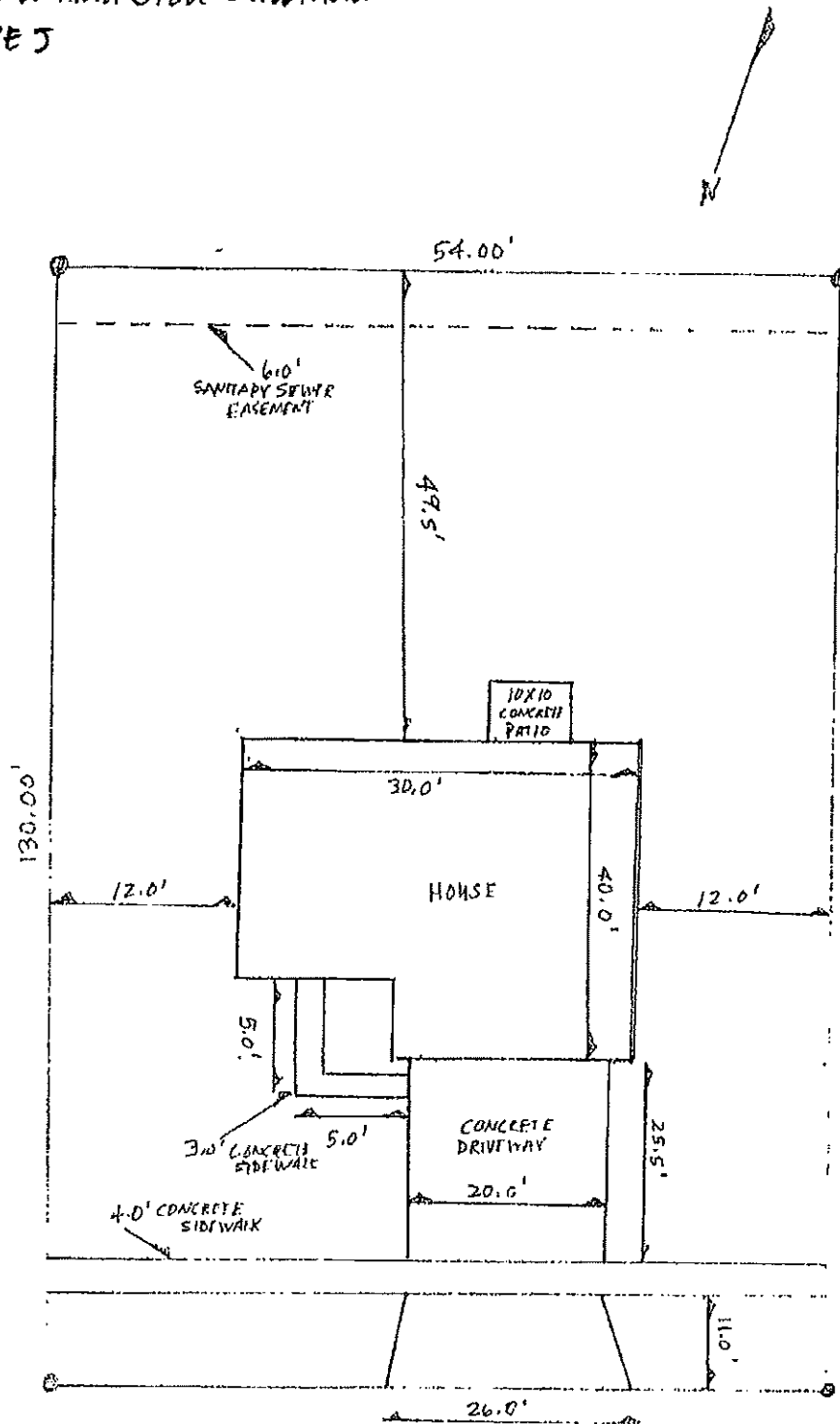


PLAN 1015 GF
(8 1/2" Lap)

REAR ELEVATION

PREPARED FOR
FLAT-IRON,
LLOYD BANKS, O

NOT TO SCALE
LOT 6, WALNUT GROVE SUBDIVISION
AVENUE J



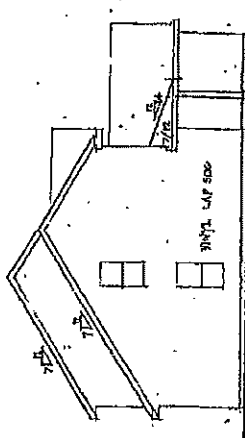
AVENUE J

COPYRIGHT MAY 2011

6355 Panorama Dr.
Omaha, NE 68182
Sherm Super, President
PH 402-818-6188

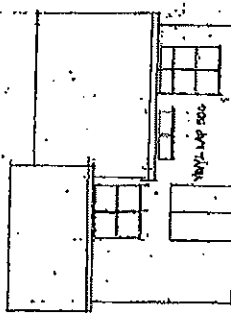
Design &
Construction Inc.

ENCORE



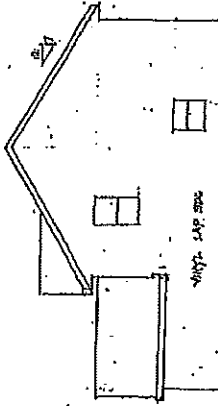
LEFT ELEVATION

1/8" = 1'-0"



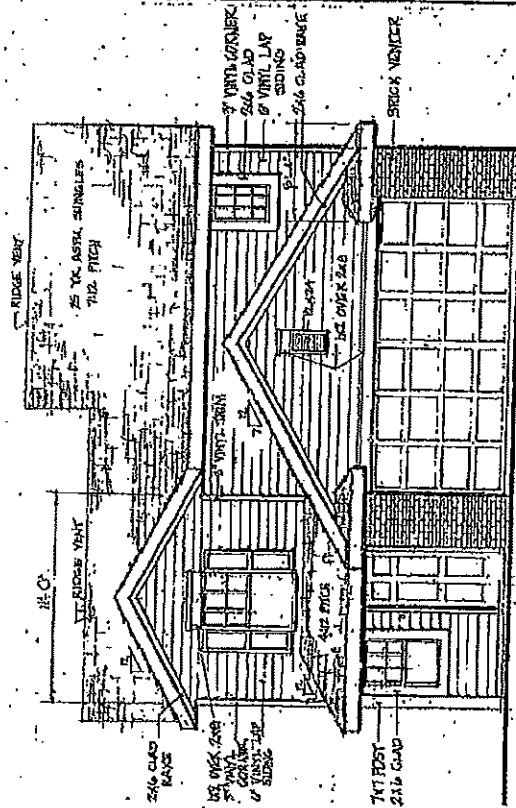
REAR ELEVATION

1/8" = 1'-0"



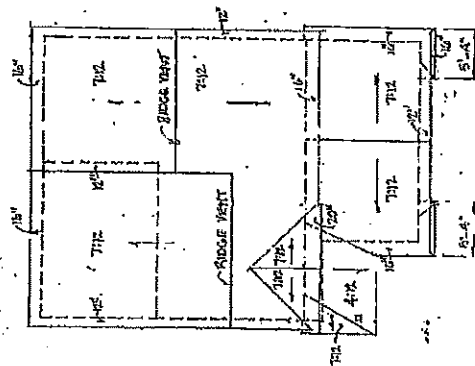
RIGHT ELEVATION

1/8" = 1'-0"



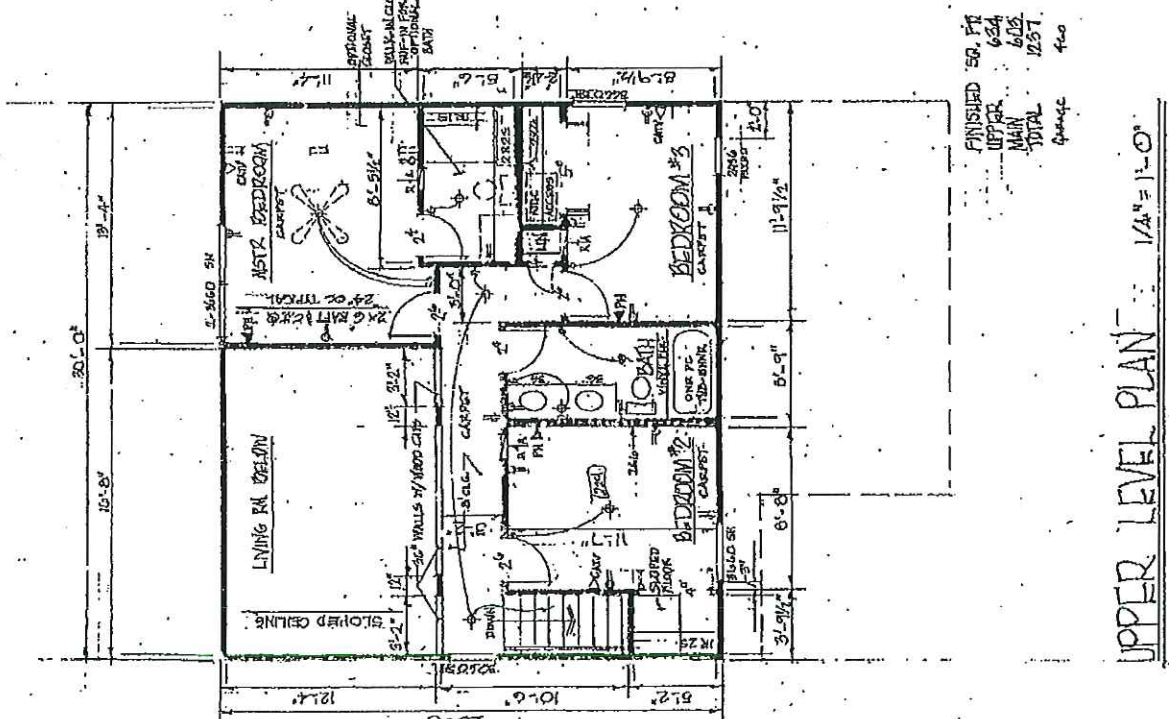
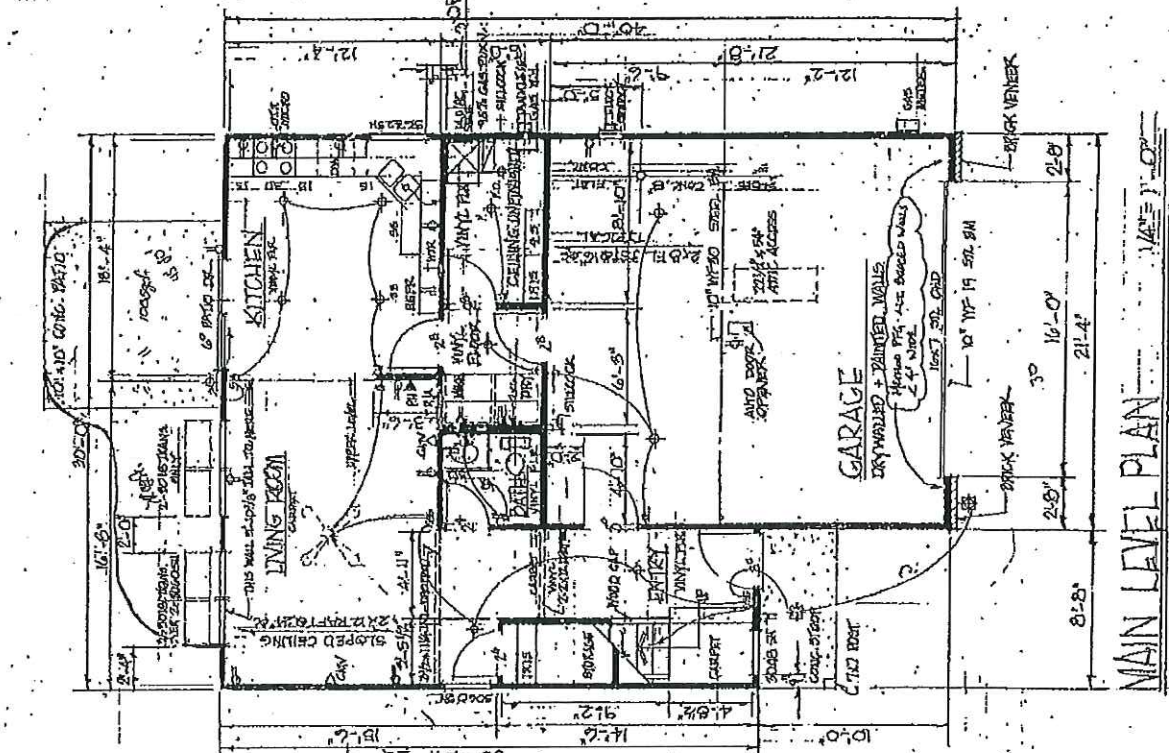
FRONT ELEVATION

1/4" = 1'-0"



ROOF PLAN

1/8" = 1'-0"



ENCORE

Design &
Construction Inc.
Greenville, NC 27834
PH 402-618-5180

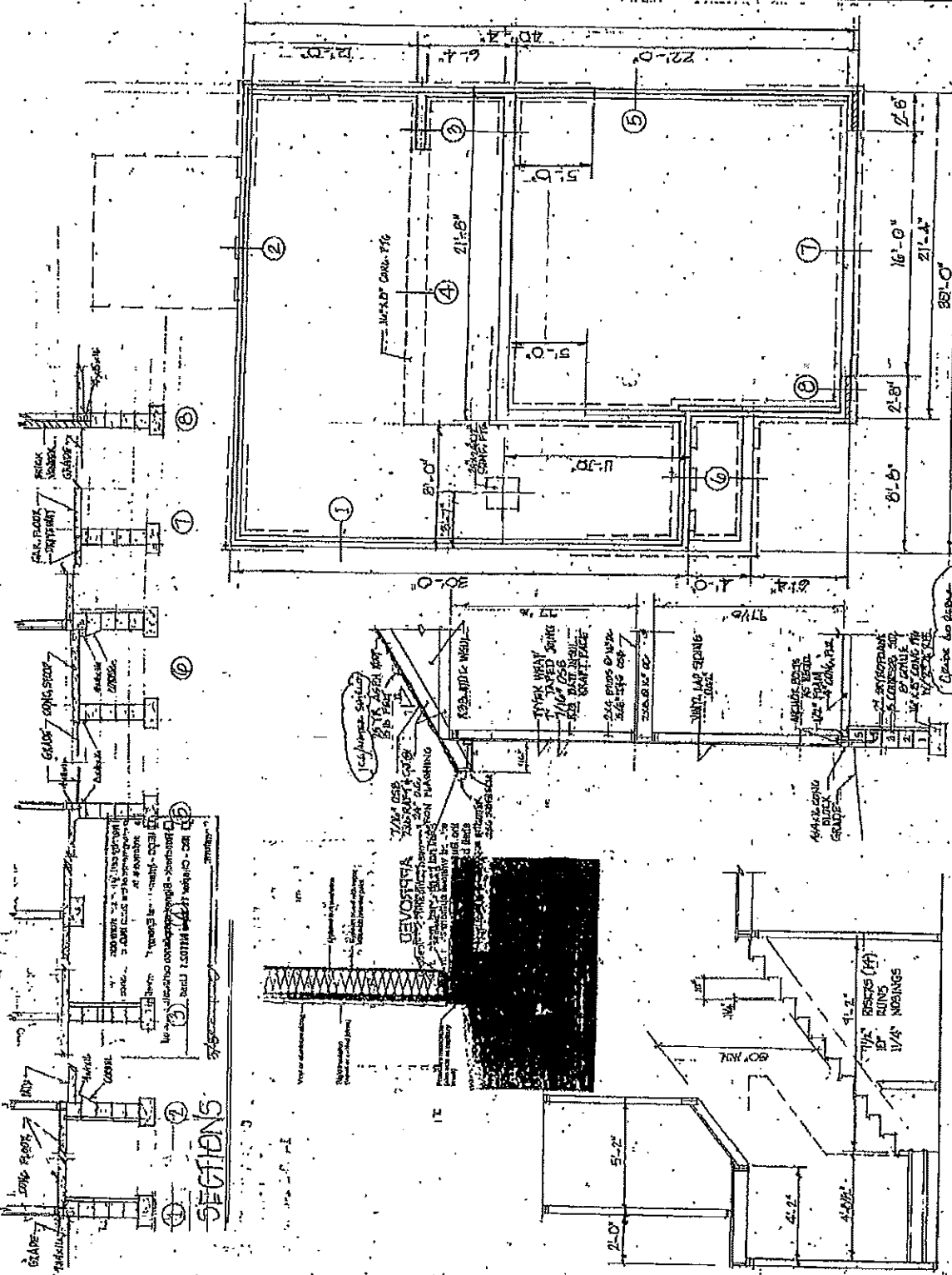
2335 Parsonage Dr.
Greenville, NC 27834
PH 402-618-5180

COPYRIGHT MAY 2011

FOUNDATION PLAN 1/4"=1'-0"

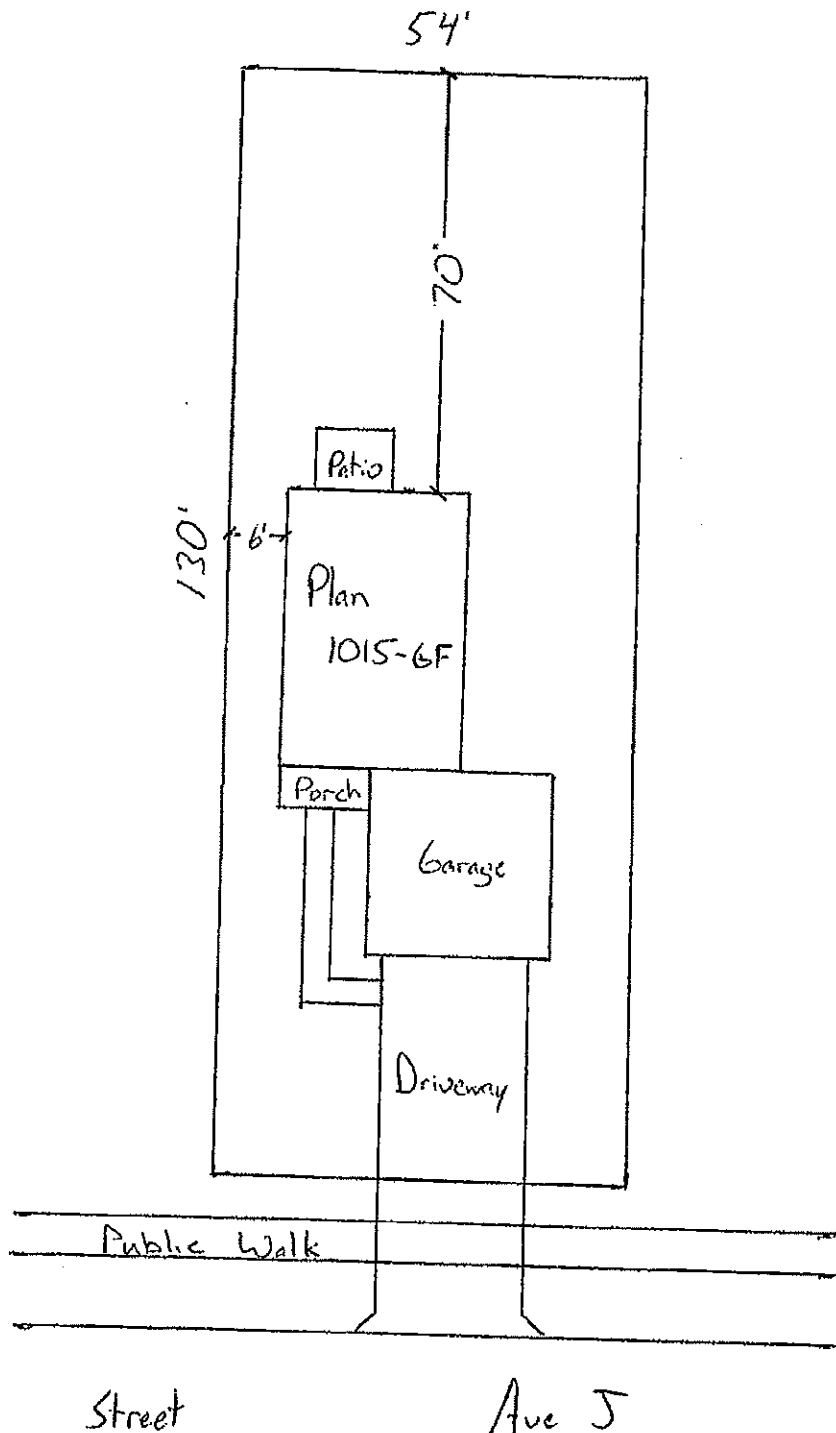
TYPICAL SECTION 3/8"=1'-0"

STAIR SECTION 3/8"=1'-0"

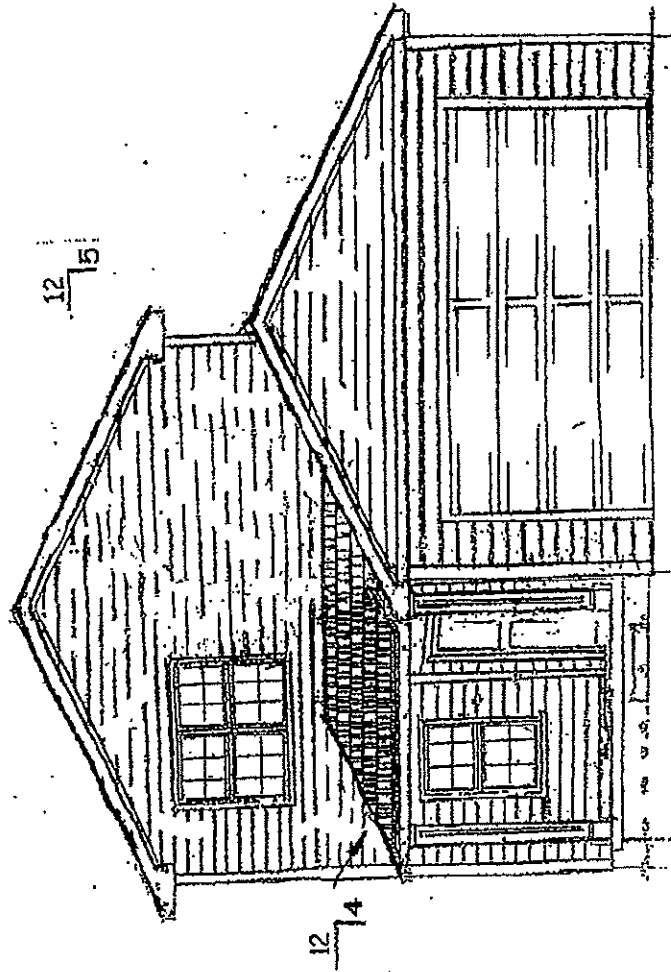




Legal: Lot 5 Walnut Grove Subdivision
Council Bluffs IA



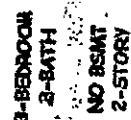
NOTE THIS REVISION
CANCELS
 PLAN 1015 - 3BGF



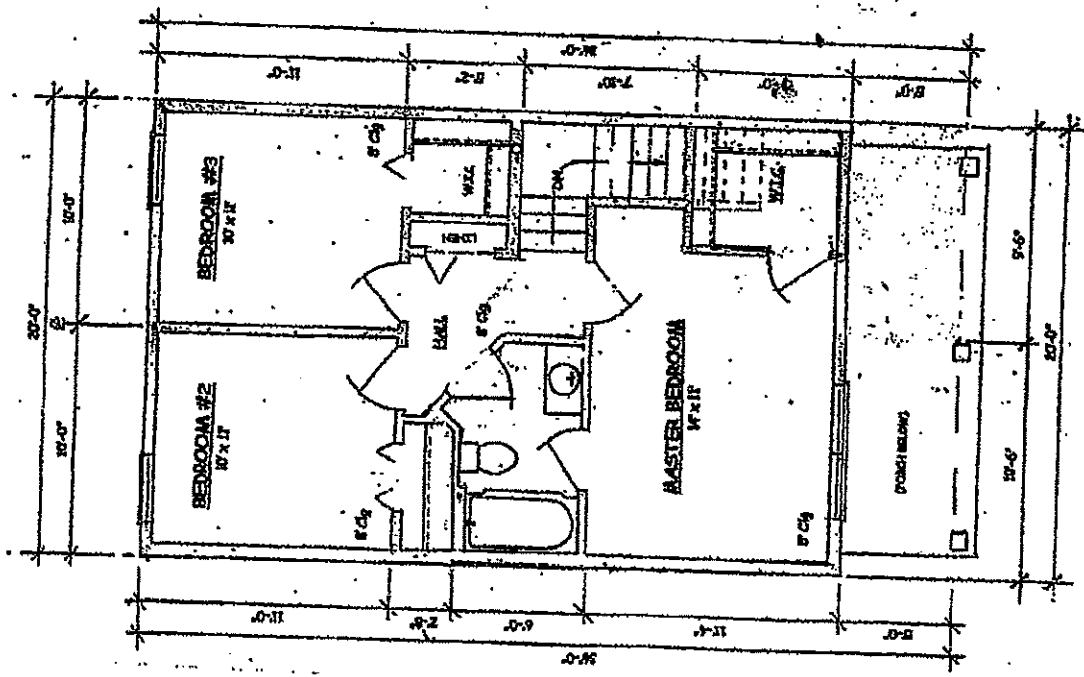
FLAT-IRON, INC / PLAN 1015-GF / ELEVATION 'C'
 1209 SQ FT - 3 BEDROOM - NO BSMT - 2 BATH AREAS - FRONT GARAGE

Lot 5
 (revised)

UPPER LEVEL: 600 SQ FT
MAIN LEVEL: 609 SQ FT
TOTAL: 1209 SQ FT



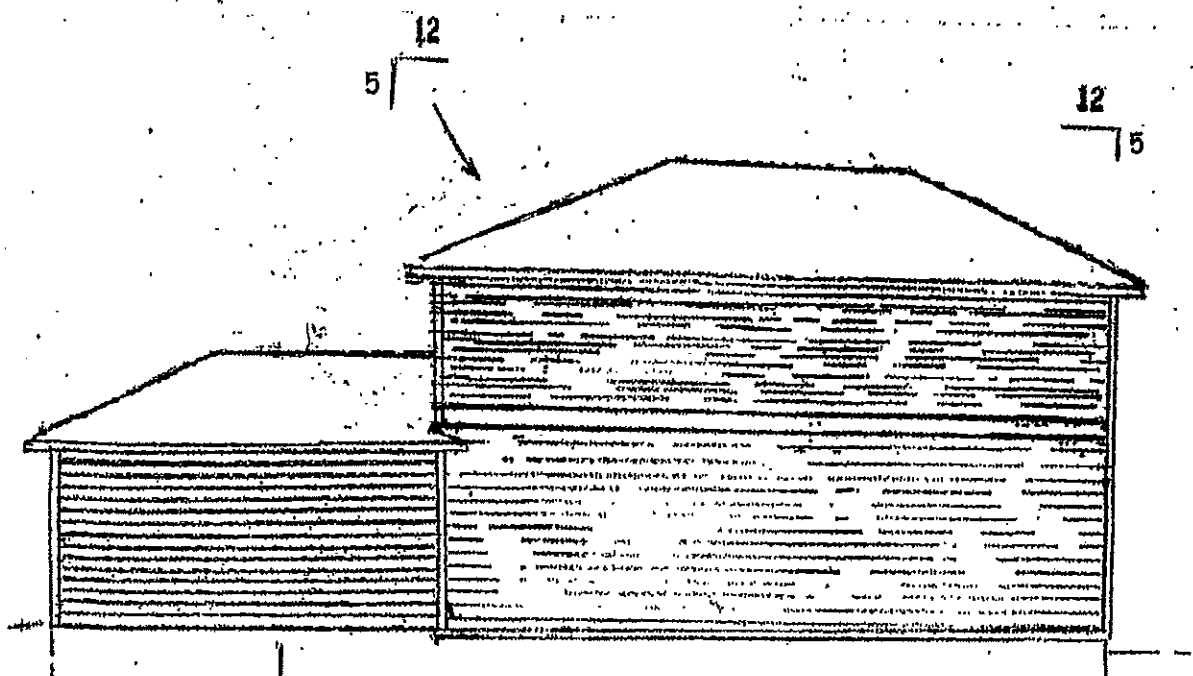
NOTE: THIS REVISION
 CANCELS
 PLAN 1015 - 3BGF



UPPER LEVEL: 600 SQ. FT.
 MAIN LEVEL: 609 SQ. FT.
 TOTAL: 1209 SQ. FT.

UPPER LEVEL 1015-GF

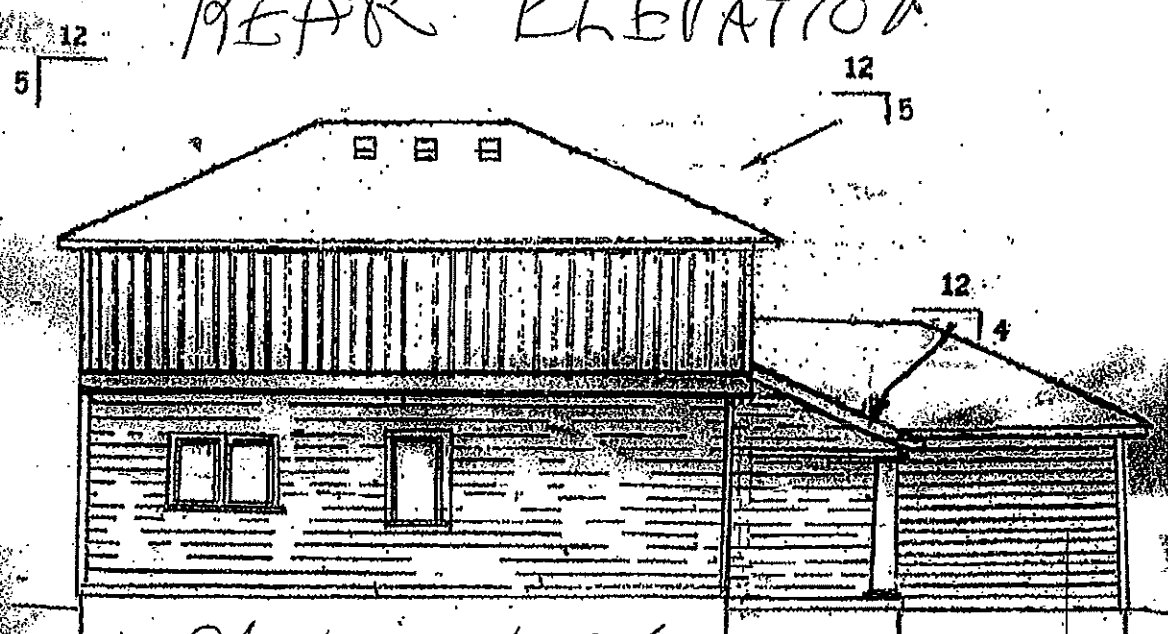
pg 3



PLAN 1015 GP
(8 1/2" Banding w/5 1/2" Upper Lap & 8 1/2" Lower Lap)

RIGHT ELEVATION

REAR ELEVATION

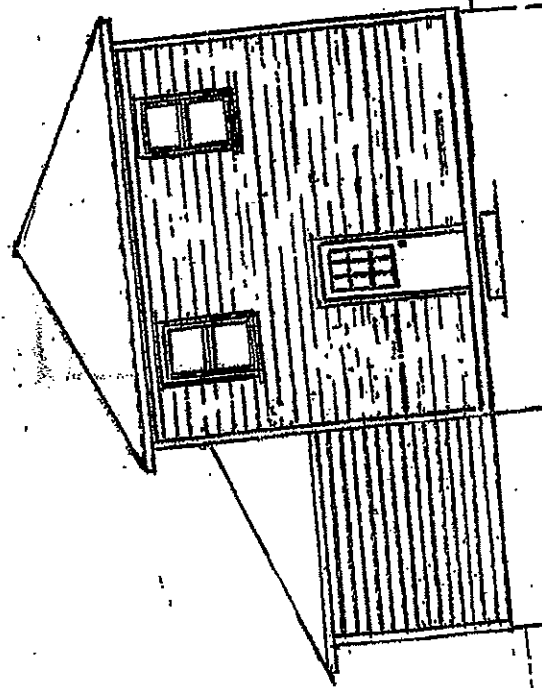


PLAN 1015 GP
(8 1/2" Banding w/Vert-8" Repeat & 8 1/2" Lower Lap)

(8 1/4" Banding w/ Vert 8" Repeat (8 1/4" Power Lap)

ELEVATION

12 5

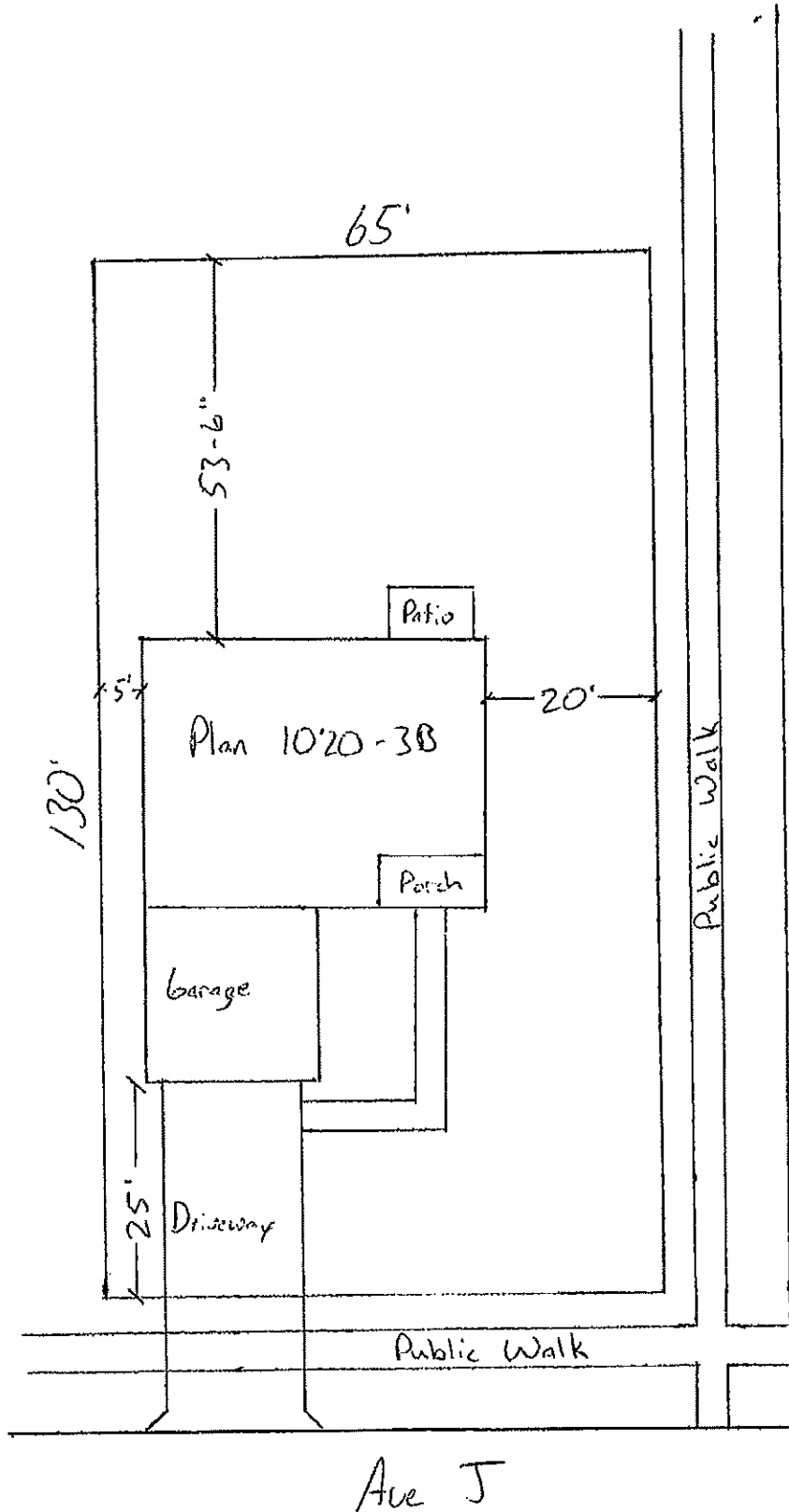


PLAN 1015 GF
(8 1/4" Lap)

PREPARED FOR
FLAT-IRON,
LLOYD BANKS, C

REAR ELEVATION

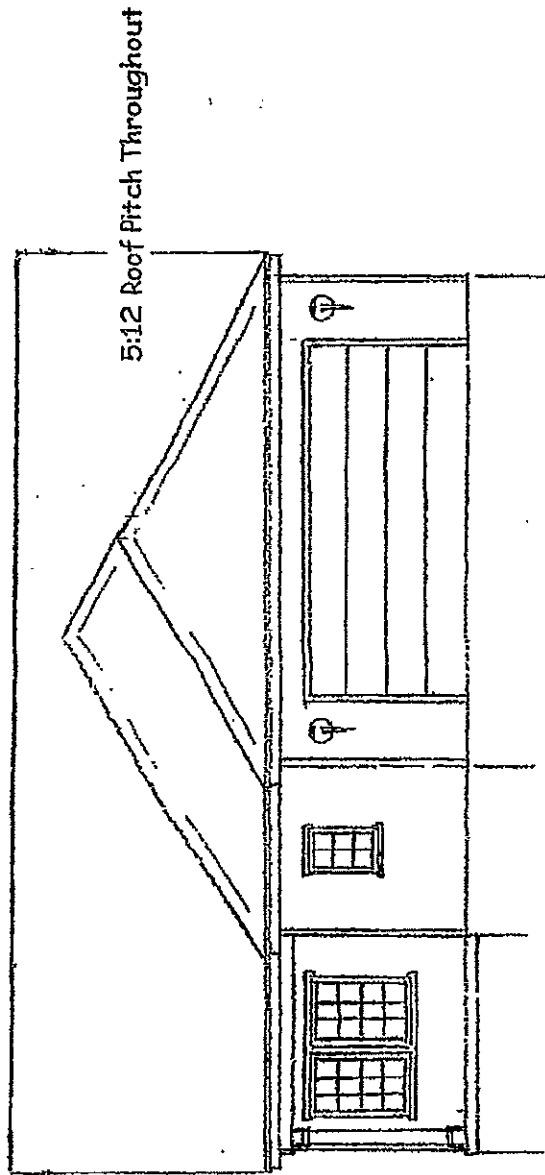
Legal: Lot 7, Walnut Grove Subdivision
Council Bluffs IA



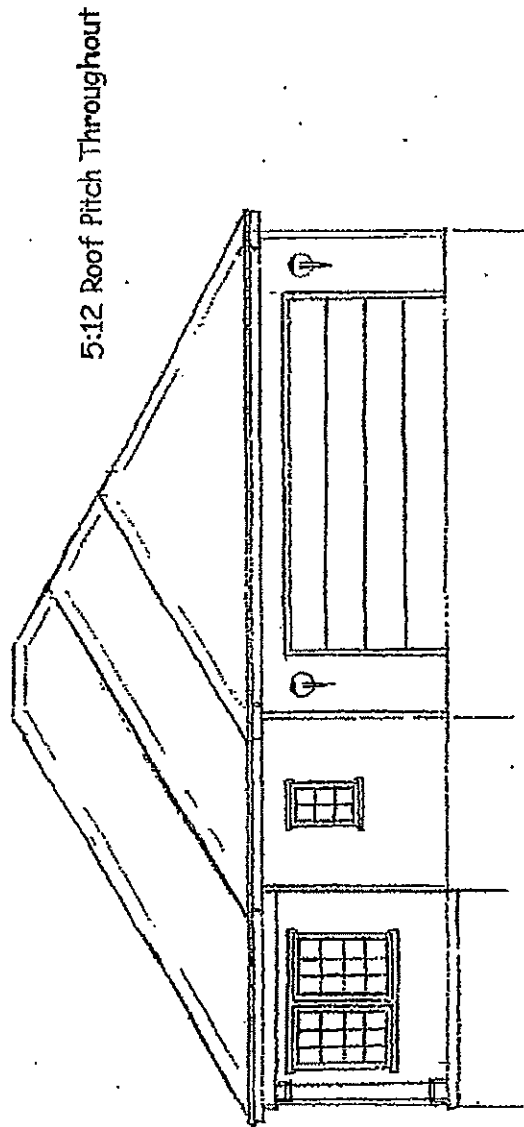
N 29th St.

8 1/2 x 11 Package Number:
① 2 3 4 5 6 7 8 9 10 11 12
(Most current issue is circled)

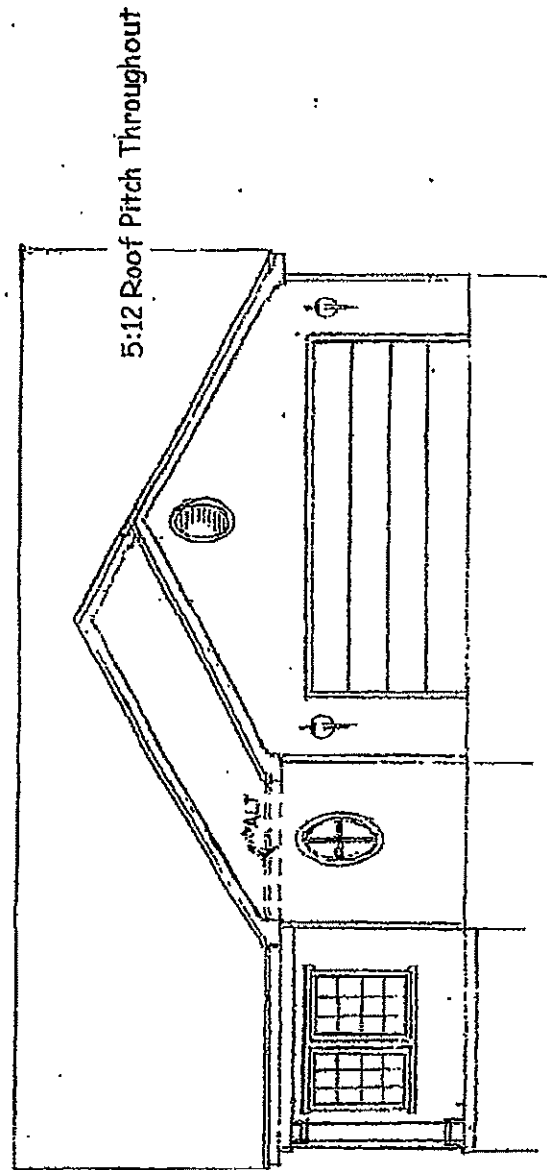
LOT 7 (REVERSED)



FLAT-IRON, INC / PLAN 1020-3B / ELEVATION 'A'
1326 SQ FT - 3 BEDROOM - NO BSMT - 2 FULL BATHS

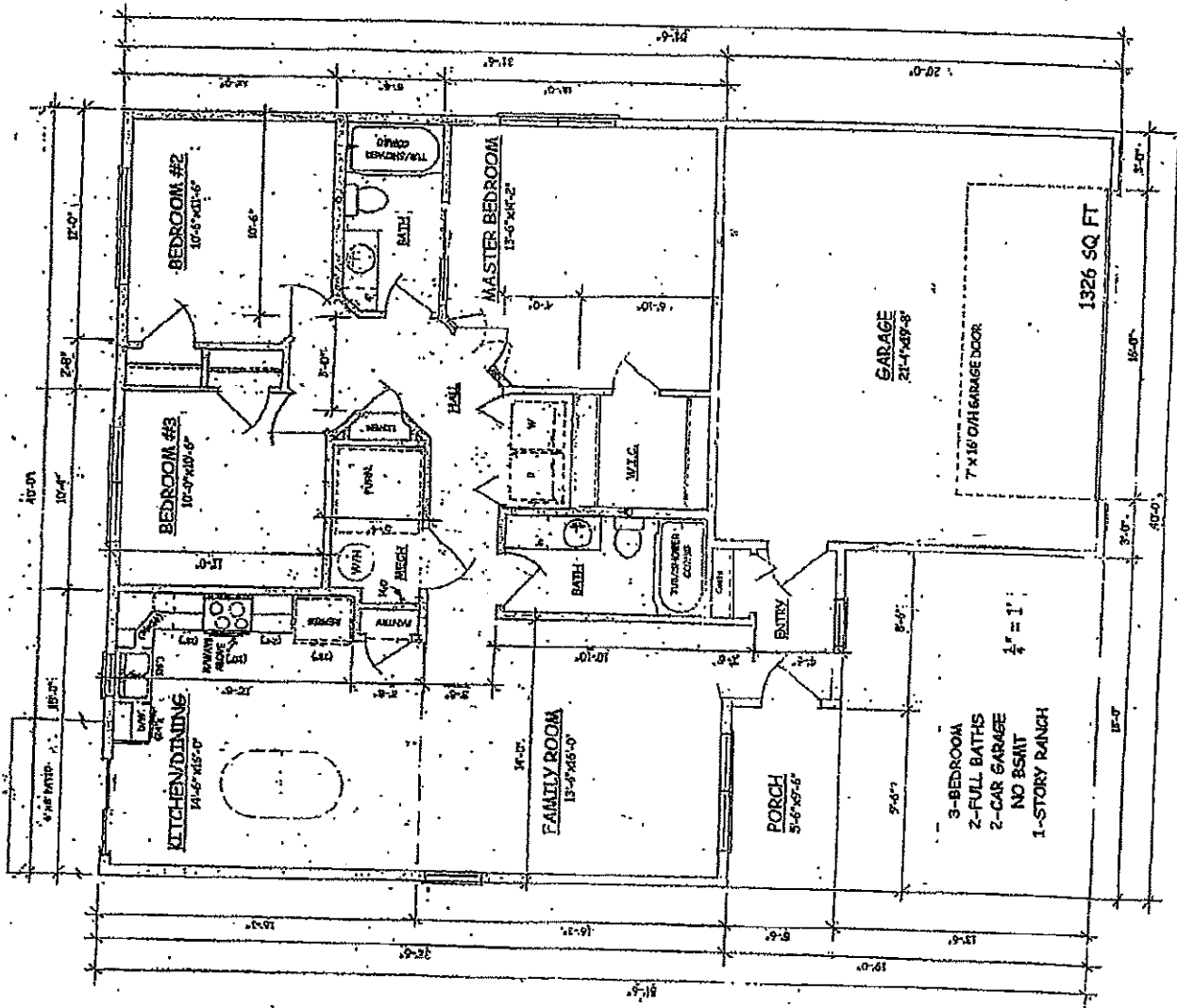


FLAT-IRON, INC / PLAN 1020-3B / ELEVATION 'B'
1326 SQ. FT - 3 BEDROOM - NO BSMT - 2 FULL BATHS



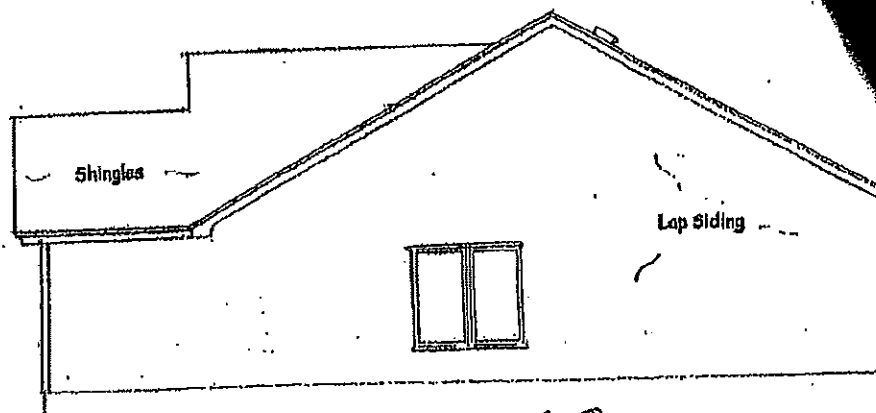
FLAT-IRON, INC / PLAN 1020-3B / ELEVATION 'C'

1326 SQ FT - 3 BEDROOM - NO BSMT - 2 FULL BATHS



PLAN #1020-3B

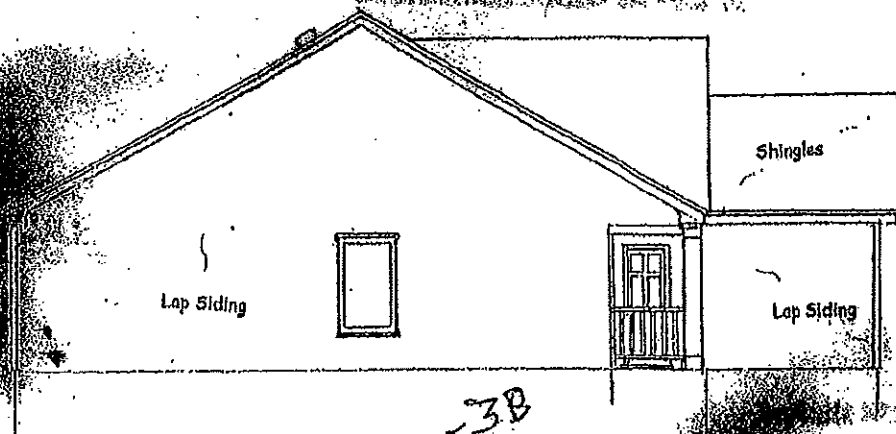
5:12 PITCH



PLAN 1020-3B

RIGHT ELEVATION

5:12 PITCH

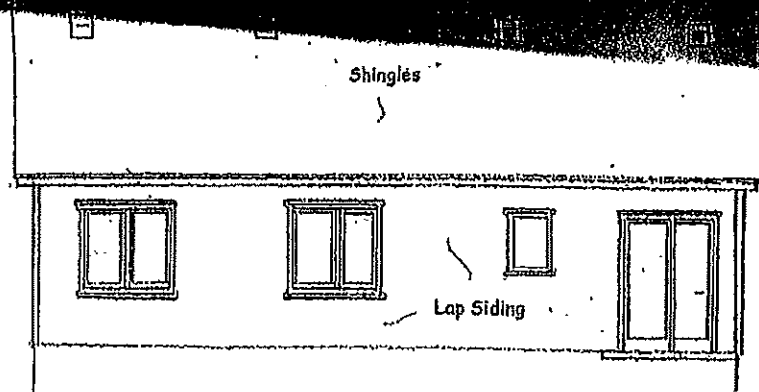


PLAN 1020-3B

Porch Roof Included in Wall Area
to elevate finished floor

LEFT ELEVATION

5:12 PITCH



PLAN: 1020-3B

REAR ELEVATION

DOORWAYS SHOWN TO AVOID ANCHOR BOLT PLACEMENT

CONCRETE FOUNDATION TO BE CONSTRUCTED
WITH ADDED FOAM SHEATHING MATERIAL,
UTILIZING THERMAL-BREAK PROCEDURES

LEGAL PLOT PLAN - 88°
 AND SUB SECTION 31-75-43 AND SUB - LT3
 SE SEPARCEL 16 EXC NW LVS

N ←

HOUSE PLAN

064-13

PLAN REVERSED

GARAGE

18' CONC.
DRIVE

WALK

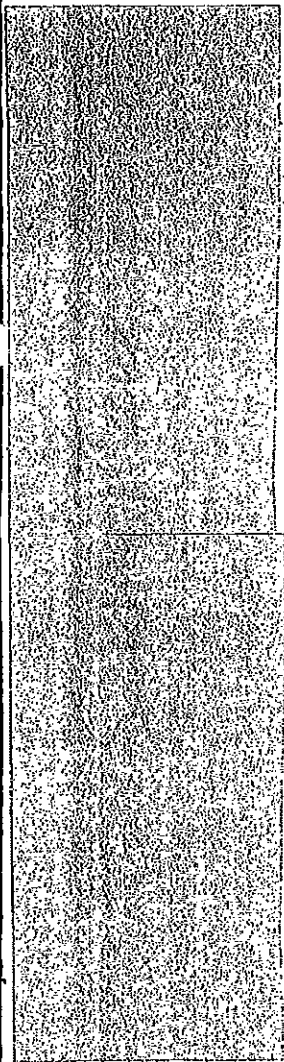
PUBLIC WALK

SR

CARB

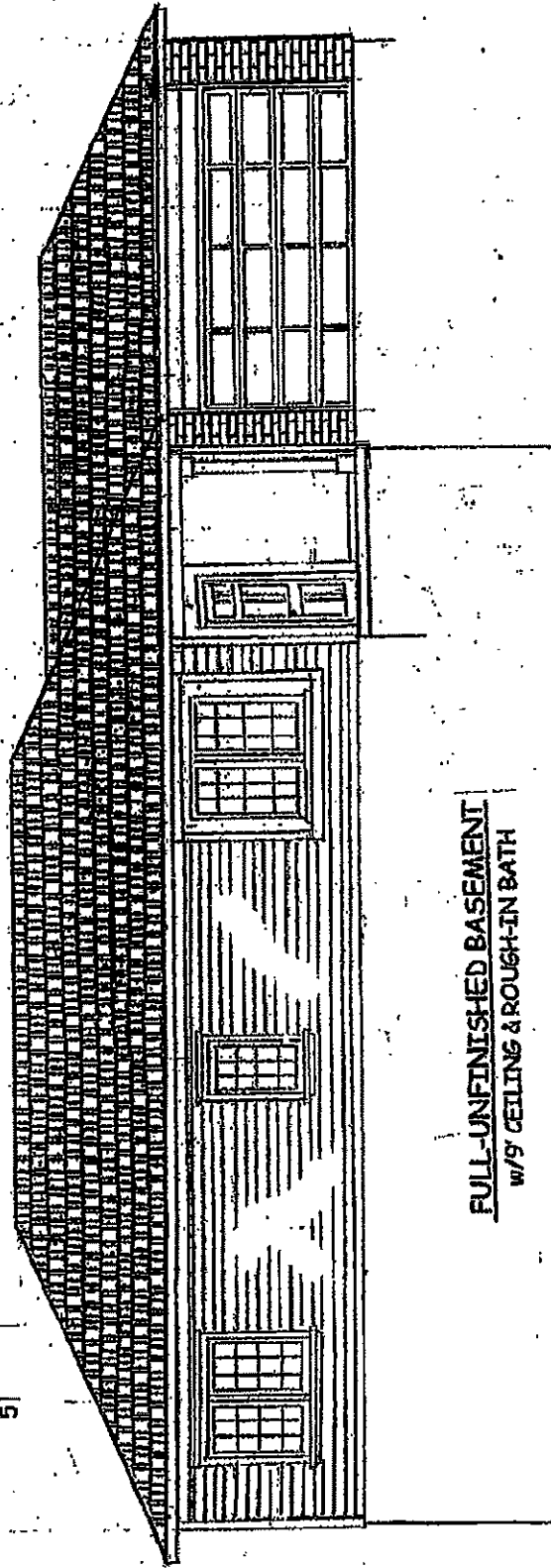
16 S05AN LADE

8 1/2 x 11. Package Number:
 ① 2 3 4 5 6 7 8 9 10 11 12
 (Most current issue is circled)



12
5'

12
5'

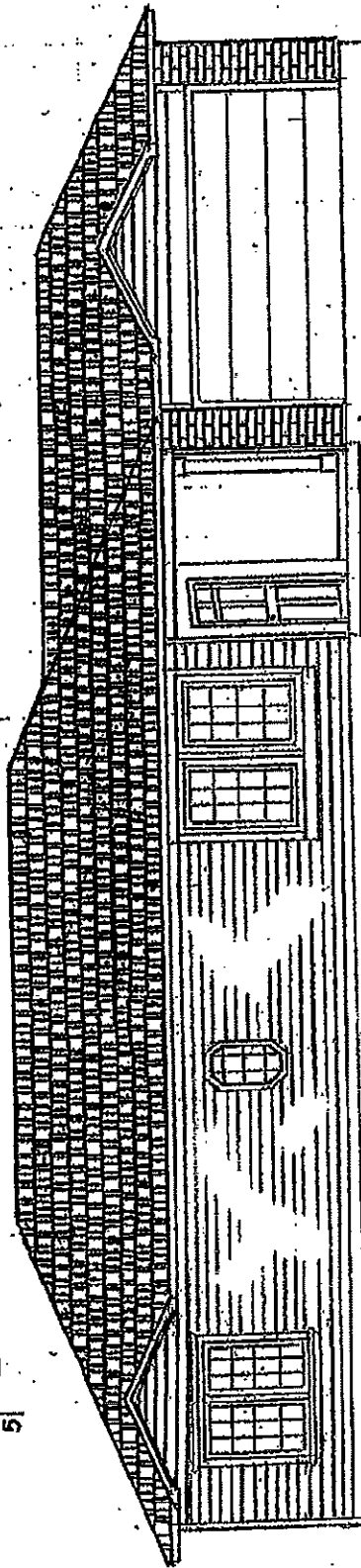


FULL-UNFINISHED BASEMENT
 w/9' CEILING & ROUGH-IN BATH

FLAT-IRON, INC. / PLAN 064-B / ELEVATION 'A'
 MAIN-1,324 SQ FT (2-BEDROOMS) / UNFIN. BSMT-1288 SQ FT - 2 BATH AREAS

12
5

12
5

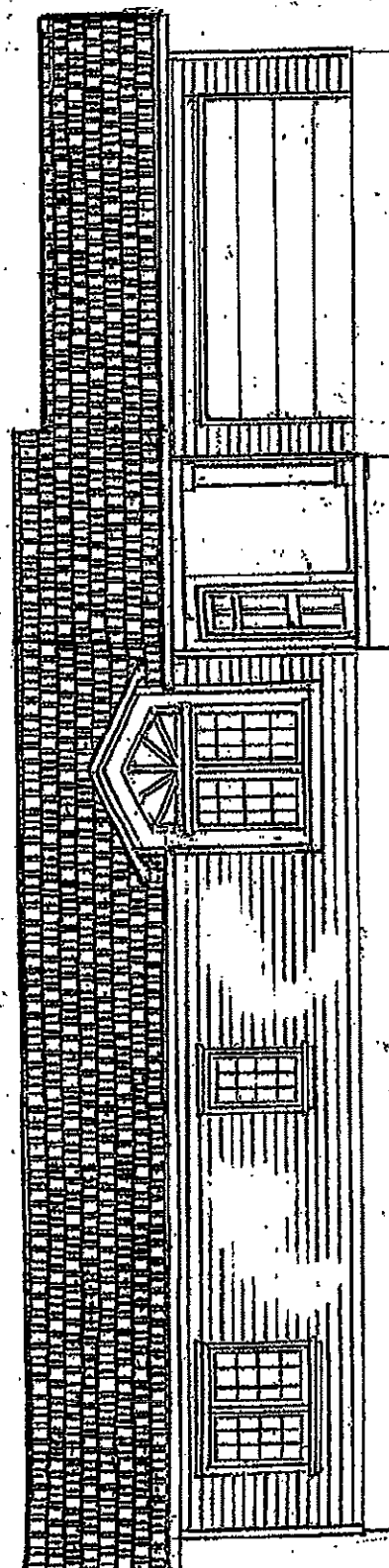


FULL-UNFINISHED BASEMENT
w/9' CEILING & ROUGH-IN BATH

FLAT-IRON, INC. / PLAN 064-B / ELEVATION 'B'
MAIN-1,324 SQ FT (2-BEDROOMS) / UNFIN. BSMT-1288 SQ FT - 2 BATH AREAS

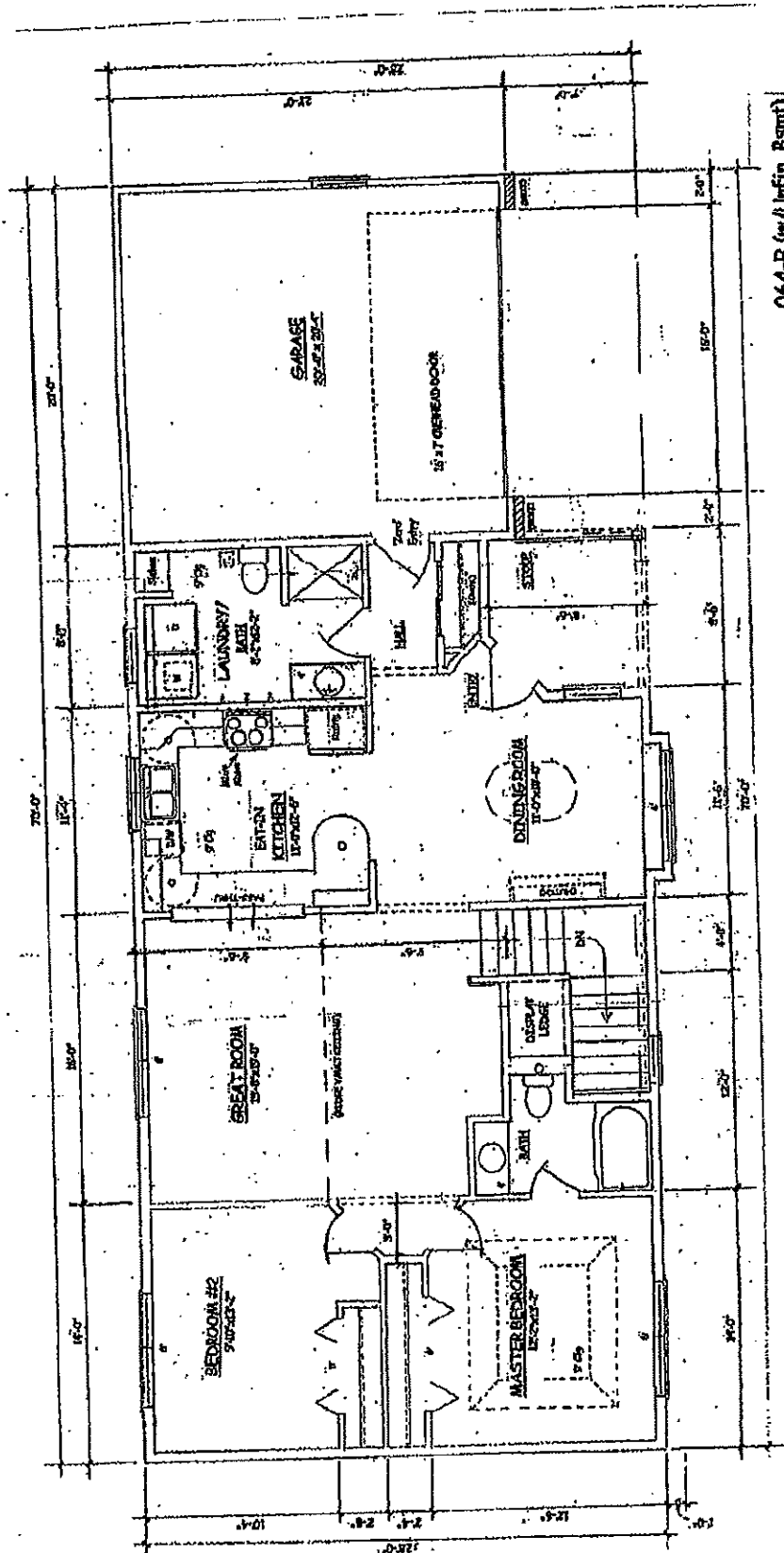
12
5

12
5



FULL-UNFINISHED BASEMENT
w/5' CEILING & ROUGH-IN BATH

FLAT-IRON, INC. / PLAN 064-B / ELEVATION 'C'
MAIN-1,324 SQ FT (2-BEDROOMS) / UNFIN. BSMT-1288 SQ FT - 2 BATH AREAS



064-B (w/Unfin. Bsmpt)!

Attachment 4

- Safety Affidavit

Workforce Housing Tax Incentive Program Affidavit

State of Iowa
County of Pottawattamie

I, Marvin O. Kieckhafer, depose and say that I have examined the following statement and have found it to the best of my knowledge to be accurate and true.

New Community Development Corporation dba NeighborWorks Home Solutions has not, within the last five years, violated state or federal statutes, rules, and regulations, including environmental and worker safety regulations, or, if such violations have occurred, that there were mitigating circumstances or such violations did not seriously affect public health or safety or the environment.

I have submitted a report detailing the circumstances of all such violations to the Economic Development Authority and such report represents a full and complete description of such circumstances.

I hereby certify that the information presented to the Iowa Economic Development Authority on 21 February, 2018 is fully complete, true, and correct. I understand that it is a criminal violation under Iowa law to engage in deception and knowingly make, or cause to be made, directly or indirectly, a false statement in writing for the purpose of procuring economic development assistance from a state agency or subdivision, as provided in Iowa Code section 15A.3 and other applicable law.

Furthermore, I understand that providing false, misleading, or fraudulent information to the Board may result in civil and/or criminal liabilities and penalties against the Recipient and its representatives.

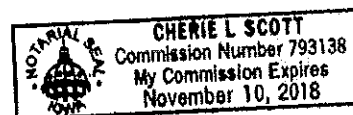
I further depose that the signature below is my own proper signature.

Marvin O. Kieckhafer 2-21-18
Signature Date

Subscribed and sworn to before me on this
21st day of February, 2018

Cherie Scott (Notary Public)
Pott County

My commission expires on 10 Nov, 2018



RESOLUTION NO. 18-89

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS AUTHORIZING A JOINT APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA) BY THE CITY OF COUNCIL BLUFFS AND NEW COMMUNITY DEVELOPMENT CORPORATION FOR WORKFORCE HOUSING TAX INCENTIVE PROGRAM (WHTIP) BENEFITS.

- WHEREAS,** the State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18; and
- WHEREAS,** the purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted at middle-income households and that focus on the redevelopment or repurposing of existing structures; and
- WHEREAS,** New Community Development Corporation proposes to construct six single-family units and has requested WHTIP benefits; and
- WHEREAS,** the projects are eligible for WHTIP under the category of “new construction, rehab, repair, or redevelopment of dwelling units in a distressed workforce housing community (Greenfield Development);” and
- WHEREAS,** the legal descriptions of the project locations are:
- 1) Lot 16, except the northwesterly 8 feet thereof, in Lot 3, Auditor’s Subdivision of SE ¼ SE ¼ of Section 31-75-43 (generally located at 16 Susan Lane);
 - 2) Lot 1, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 3) Lot 3, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 4) Lot 4, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 5) Lot 5, Walnut Grove Subdivision (generally located at 29th Street & Avenue J);
 - 6) Lot 7, Walnut Grove Subdivision (generally located at 29th Street & Avenue J); all in the City of Council Bluffs, Pottawattamie County, Iowa; and
- WHEREAS,** the average dwelling unit cost equals the costs directly related to the housing project divided by the total number of dwelling units in the housing project and does not exceed \$200,000 per dwelling unit; and
- WHEREAS,** the developer certifies that their units when completed and made available for occupancy will meet the U.S. Department of Housing and Urban Development’s housing quality standards and all applicable local safety standards; and
- WHEREAS,** the City of Council Bluffs commits to local matching funds of \$1,000 cash per dwelling unit, as required by the program; and
- WHEREAS,** after review and consideration of the request, the City of Council Bluffs has determined that the New Community Development Corporation project meets the requirements to qualify for benefits.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

Section 1.0 The City Council declares New Community Development Corporation an eligible entity for WHTIP benefits.

Section 2.0 The City Council approves the New Community Development Corporation request for a 10% state investment tax credit and a 100% rebate of sales and utility use taxes subject to the entity entering into an agreement with the City. The tax credit, if not entirely used during the first year, can be carried over and applied against state tax liability for the next seven years or until depleted, whichever occurs first.

Section 3.0 The Mayor is hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution.

Section 4.0 The provisions of this resolution shall be governed by the laws of the State of Iowa.

Section 5.0 That all resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

Section 6.0 That the provisions of this resolution are hereby declared to be separable and if any section, phrase, or provision shall be any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

Section 7.0 That the approval of any and all WHTIP benefits is contingent upon New Community Development Corporation meeting all other applicable City codes and ordinances.

Section 8.0 That this resolution shall become effective immediately upon its passage and approval.

ADOPTED
AND
APPROVED:

March 12, 2018

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, 2018, before me the undersigned, a Notary Public in and for said County and State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State

Council Communication

Department: City Clerk
Case/Project No.: FD-19-01
Submitted by: Justin James, Fire
Chief

Resolution 18-90

Council Action: 3/12/2018

Description

Resolution authorizing the purchase contract for the Phoenix G2 Fire Station Alerting System with US Digital Design.

Background/Discussion

The Council Bluffs Fire Department is requesting to conduct a complete replacement of its' current fire station alerting system. The current system was last updated in 1999 and is not capable of meeting the standards of present day. The current system relies completely on hard lines and the availability of those lines has decreased dramatically with today's technology. The system is also not able to be operated out of the Pottawattamie County 911 backup center. In the event that center must be put into operation all alarms must be transmitted over portable radio.

In 2016 the Council Bluffs Fire Department began to look at a replacement for this system. During the same time period Omaha Fire Department was also looking at the replacement of their Station Alerting System. CBFD personnel attended multiple meetings, demos, and discussions with vendors during Omaha's RFP process and selection. Vendors were narrowed down to two possibilities. At this point CBFD personnel worked with both vendors to develop a blueprint in which both vendors could bid the project. Upon completion of that work U.S. Digital Designs was the lower bid and work continued to finalize what the system would look like upon completion.

In 2017 U.S. Digital Design was also awarded the Omaha Fire Department's contract.

The replacement of this system will obtain the City of Council Bluffs up to .47 points on our current ISO rating and will bring us that much closer to obtaining an ISO 1 classification. The new system will also assist us greatly in the reduction of response times to emergencies. By utilizing the latest technology personnel will obtain dispatch information faster and be able to start making strategic decisions much earlier. The system will also be completely backed up and able to function fully in both the primary and secondary dispatch centers.

Funding for this project will be paid for with General Obligation Bonds, CIP Project No. FD-19-01.

Recommendation

Approval of this resolution to accept US Digital Design's bid of \$348338.47 for the replacement of the fire station alerting system.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 18-90	Resolution	3/6/2018

RESOLUTION NO. 18-90

RESOLUTION, AUTHORIZING THE PURCHASE CONTRACT FOR THE
PHOENIX G2 FIRE STATION ALERTING SYSTEM.

WHEREAS, the City of Council Bluffs desires to replace the current fire station alerting system; and

WHEREAS, U.S. Digital Designs met all requirements and were the lowest bid; and

WHEREAS, funding for this project will be provided by the City of Council Bluffs General Obligation bonds for FY2019.

NOW, THEREFORE BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Fire Department is hereby authorized to accept the contract proposal/bid of \$348,338.47, and further purchase said system from US Digital Design.

ADOPTED
AND
APPROVED

March 12, 2018

Matthew Walsh Mayor

Attest:

Jodi Quakenbush City Clerk

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Roger Sandau

Resolution 18-91

Council Action: 3/12/2018

Description

Resolution supporting the location of a medical cannabidiol dispensary in Council Bluffs, Iowa.

Background/Discussion

The State of Iowa will be granting a license for five (5) cannabidiol dispensaries in the State of Iowa. The City believes that locating one (1) of the five (5) cannabidiol dispensaries in Council Bluffs, Iowa would be a benefit to the community and would further the City's strategic plan, specifically with regards to enhancing public health services..

Recommendation

Approval

ATTACHMENTS:

Description	Type	Upload Date
Resolution 18-91	Resolution	3/9/2018

RESOLUTION NO. 18-91

A SUPPORTING THE LOCATION OF A MEDICAL CANNABIDIOL DISPENSARY IN COUNCIL BLUFFS, IA.

WHEREAS, the State of Iowa will be granting a license for five (5) cannabidiol dispensaries in the State of Iowa; and

WHEREAS, the City believes that locating one (1) of the five (5) cannabidiol dispensaries in Council Bluffs, Iowa would be a benefit to the community and would further the City's strategic plan, specifically with regards to enhancing public health services.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
FOR THE
CITY OF COUNCIL BLUFFS, IOWA:**

That the City Council of Council Bluffs, Iowa hereby supports the location of a cannabidiol dispensary within the City of Council Bluffs, Iowa.

ADOPTED
AND
APPROVED

March 12, 2018.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: City Clerk

Case/Project No.:

Submitted by:

Liquor Licenses

Council Action: 3/12/2018

Description

- 1) The BLK Squirrel, 154 West Broadway
- 2) The Barrel, 144 West Broadway
- 3) Glory Day's, 106 West Broadway
- 4) Longhorn Steakhouse, 3727 Denmark Drive
- 5) Ruby Tuesday, 3150 24th Street
- 6) Speedee Mart, 3624 9th Avenue
- 7) Super Quick Stop, 2800 Twin City Drive (New Owners)
- 8) Uncle Buck's Grill (Bass Pro Shop), 2911 27th Avenue

Background/Discussion

Recommendation

ATTACHMENTS:

Description

Applications

Type

Other

Upload Date

3/5/2018



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ALCOHOLIC
BEVERAGES DIVISION
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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>cm</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>se</u>	Expires _____	
ZONING <u>VEB</u>		

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> General Premises

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Applicant LC0042382, The BLK Squirrel, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): The BLK Squirrel (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): The BLK Squirrel

Address of Premise: 154 West Broadway

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (402) 214-8465

Cell / Home Phone: _____

☐ Same Address

Mailing Address: 25 Scott Street

Mailing Address Line 2: _____

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Andrew Mead

Phone: (402) 214-8465

Email Address: Cannon_ale@yahoo.com

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Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

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HEALTH _____	Issued _____	
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➤ History

Applicant LC0043158, The Barrel, Council Bluffs

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The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): The Barrel LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): The Barrel

Address of Premise: 144 W Broadway

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (402) 320-7435 Cell / Home Phone: (402) 320-7435

☐ Same Address

Mailing Address: 308 Park Avenue

Mailing Address Line 2: _____

City: McClelland State: Iowa

Zip: 51548

Contact Name: Eric Kingery

Phone: (402) 320-7435 Email Address: e.kingery@gmail.com

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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
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FIRE <u>RIB</u>	Endorsed _____	
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Applicant LC0036708, Glory Days, Council Bluffs

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The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor
Name/Partnership Name(s): Juon Investments LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Glory Days

Address of Premise: 106 West Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 328-7617

Cell / Home Phone: (712) 326-0639

☐ Same Address

Mailing Address: 106 W BROADWAY

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Brandon Juon

Phone: (712) 326-0639

Email Address: glorydaysbar@gmail.com

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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>dm</u>	Local Amt _____	
FIRE <u>RS</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>RS</u>	Expires _____	
ZONING <u>RS</u>		

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Applicant LC0038276, LongHorn Steakhouse #5397, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): RARE Hospitality International, Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): LongHorn Steakhouse #5397

Address of Premise: 3727 Denmark Drive

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 366-8085

Cell / Home Phone: _____

☐ Same Address

Mailing Address: Att: Licensing PO Box 695016

Mailing Address Line 2: _____

City: Orlando

State: Florida

Zip: 32869-5016

Contact Name: Valerie Nieves

Phone: (407) 245-5393

Email Address: Licensinglaw@arden.com

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Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

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Applicant LC0034421, Ruby Tuesday, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): RT Omaha Franchise, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Ruby Tuesday

Address of Premise: 3150 24th Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 328-0046

Cell / Home Phone:

Same Address

Mailing Address: c/o Licensing Solutions, Inc.

Mailing Address Line 2: 2295 South Hiawasse Road, Suite 402

City: Orlando

State: Florida

Zip: 32835

Contact Name: Vanessa Bernos

Phone: (407) 299-2555

Email Address: licensing@liquorlicensepros.com

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Applicant BC0030364, Speedee Mart 1512, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Western Oil II, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Speedee Mart 1512

Address of Premise: 3624 9th Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 322-9731

Cell / Home Phone:

☐ Same Address

Mailing Address: PO Box 10

Mailing Address Line 2:

City: Valentine

State: Nebraska

Zip: 69201

Contact Name: Kim Epke

Phone: (402) 376-2224

Email Address: kim@danielskifarms.com

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Applicant BC_V_77503, Super Quick Stop, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s):	California Union LLC (Sole Proprietorship, Partnership, Corporation, etc.)	
Name of Business (D/B/A):	Super Quick Stop	
Address of Premise:	2800 Twin City Drive	
Address Line 2:		
City:	Council Bluffs	
County:	Pottawattamie	
Zip:	51501	
Business Phone:	(619) 787-7202	Cell / Home Phone:
<input type="checkbox"/> Same Address		
Mailing Address:	1602 Vinton Street	
Mailing Address Line 2:		
City:	Omaha	State: Nebraska
Zip:	68108	
Contact Name:	Shumet Abebe	
Phone:	(619) 787-7202	Email Address: abebe99@yahoo.com

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Applicant LC0034376, Uncle Buck's Grill, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Bass Pro Outdoor World, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Uncle Buck's Grill

Address of Premise: 2911 27th Ave.

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (417) 873-5000

Cell / Home Phone: _____

☐ Same Address

Mailing Address: 2500 E. Kearney St.

Mailing Address Line 2:

City: Springfield

State: Missouri

Zip: 65898

Contact Name: Tim Eisenhour

Phone: (417) 873-5530

Email Address: bpslicensing@basspro.com

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Instructions on the reverse side

For period (MM/DD/YYYY) 04/01/2018 through June 30, 2018

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Pheromones Glass & Gifts LLC
Physical Location Address 1417 W Broadway Suite B City Council Bluffs ZIP 51500
Mailing Address 1417 West Broadway Suite B City Council Bluffs State IA ZIP 51500
Business Phone Number 712-323-0404

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐
Name of sole proprietor, partnership, corporation, LLC, or LLP Pheromones Glass & Gifts LLC
Mailing Address 1417 W Broadway Suite B City Council Bluffs State IA ZIP 51500
Phone Number 402-591-0226 Fax Number _____ Email pheromonesglass@yahoo.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒
Types of Products Sold: (Check all that apply)
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐
Has vending machine that assembles cigarettes ☐ Other ☒ Retail Store

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Rodney Froehlich Name (please print) _____
Signature [Signature] Signature _____
Date 2-13-18 Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY - MUST BE COMPLETE

- Fill in the amount paid for the permit: \$25.00
- Fill in the date the permit was approved by the council or board: 3-12-18
- Fill in the permit number issued by the city/county: 589182
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☒ Renewal ☐

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-231-7375



SEE INSTRUCTIONS ON THE REVERSE SIDE

For period (MM/DD/YYYY) 02 / 27 / 2018 through June 30, 2018

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA: California Union LLC / "Super Quick stop"
Physical Location Address: 2800 Twin City Drive City: Council Bluffs ZIP: 51501
Mailing Address: 1602 Vinton Street City: Omaha State: NE ZIP: 68128
Business Phone Number: (402) 932 3088

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐
Name of sole proprietor, partnership, corporation, LLC, or LLP: California Union LLC
Mailing Address: 1602 Vinton Street City: Omaha State: NE ZIP: 68128
Phone Number: (402) 932 3088 Fax Number: () Email: abebe99@yahoo.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐
Types of Products Sold: (Check all that apply)
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

SIGNATURE OF OWNER(S), PARTNER(S), OR CORPORATE OFFICIAL(S)

Name (please print): Shumet Abebe Name (please print): _____
Signature: [Signature] Signature: _____
Date: 2-27-2018 Date: _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$50.00
- Fill in the date the permit was approved by the council or board: 3.12.18
- Fill in the permit number issued by the city/county: 585262
- Fill in the name of the city or county issuing the permit: Council Bluffs

X New

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

23 February 2018

Brooke Hubbard
Owner, The Hub
402-490-0885
7th S 4th St.
Council Bluffs, IA 51501

Council Bluffs City Council Clerk
Jodi Quakenbush
209 Pearl St.
Council Bluffs, IA 51501

Dear Mrs. Quakenbush,

This letter is to request that the city modify the parking on 4th Street from 1st Street in Council Bluffs, Iowa. I am requesting that the parking stalls be changed from parallel stalls to diagonal stalls to ensure a safer entry into the building that is located at 7th S. 4th Street, The Hub. Eliminating one side of the parallel stalls would allow the street to be used for diagonal parking directly in front of the building.

In a meeting with Greg Reader, he suggested back-ended parking that would be introduced to these new diagonal stalls. At first, I was not a very big supporter of the back-ended stall idea but once I did some research, I quickly changed my mind. The short outcome is that when families back into a stall and the doors from the vehicle swing outward, this motion forces the children and other adults to naturally walk to the sidewalk (because the door is blocking them from walking to the street). If you pull forward into a diagonal parking spot, most children will naturally walk to the rear of the car toward the busy street.

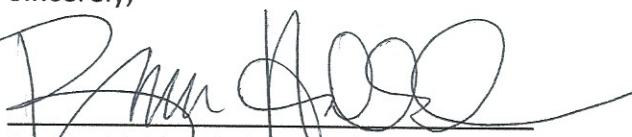
AAA conducted a study on forward diagonal parking stalls on a busy city street.

"In this common parking scenario, AAA said, the tested systems failed to detect pedestrians, bicyclists, motorcycles and other vehicles at alarming rates:

- A passing motorcycle was not detected by the systems in 48 percent of tests.
- The systems failed to detect a bicycle passing behind the vehicle 40 percent of the time.
- The systems failed to detect a passing vehicle 30 percent of the time.
- While not all systems are designed to detect pedestrians, the technology failed to detect pedestrians 60 percent of the time."

Lastly, over 300 children and elderly are killed each year by being ran over due to a vehicle backing out of a parking stall. The Hub, which is a family entertainment facility, is going to generate hundreds of families each week into this street. The way the street is now is not safe for anyone. I am down on this street on a daily basis and have almost been hit once and am constantly having to run across this road to avoid being ran over. With the new businesses that will be utilizing this building I feel that in order to not confuse the public, this new parking would be best to be introduced at the grand opening of the business; late April 2018. I have had several meetings with Greg Reader on this request and I do feel at this time that this request does have the merit for your review. Thank you for your consideration!

Sincerely,



Brooke Hubbard, Owner of The Hub

February 26th, 2018

Public Works Department of Council Bluffs
Matthew S. Cox, City Engineer
David A. Vermillion, Civil Engineer II
Mayor Matthew Walsh and the City Council Members

Request to leave business driveway in it's current position during West Broadway Reconstruction

I would like to request a change in the current plans of the reconstruction of West Broadway that directly affects my business property. My Phillips 66 gas station located at 2900 West Broadway currently has two driveways that allow unrestricted access and exiting from my fuel pump locations. If the driveway closest to the 29th Street intersection is eliminated as it is proposed in the West Broadway reconstruction plans it would directly affect the traffic flow adversely into and out of my fuel pump locations. In 1985 when we designed our fuel pump configuration, gas pump canopy and access to our auto repair shop bays there was not an issue on having a driveway there. Now the new code for the reconstruction of West Broadway suggests the elimination of that driveway which directly affects the flow of traffic in and out of my business onto or off of Broadway in a very negative way.

I would appreciate the opportunity to protest this West Broadway reconstruction proposal to eliminate this driveway.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew A. Atherton Sr.", with a stylized, cursive script.

MATTHEW A. ATHERTON SR.

Atherton's Phillips 66
Atherton Automotive Service Center
2900 West Broadway
Council Bluffs, Iowa 51501
Phone 712-322-2900

CLERK RCVD
27 FEB'18
AMB:11